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THE WINDS OF CHANGE ARE BLOWING:
ASSESSING OPINIONS TOWARDS
TRANSGENDER INDIVIDUALS

by

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B.A., University of Central Florida, 2015

A thesis submitted in partial fulfillment of the requirements
for the degree of Master of Arts
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ABSTRACT

The purpose of this thesis is to examine changing attitudes towards transgender individuals, in that they are overwhelmingly marginalized and discriminated against. Recently, the Trump Administration has sought to limit their protections, such as their right to enter a restroom facility of their preferred gender identity. Up until recently, there was not such an overwhelming presence of transgender media available to the public. The emergence of the transgender community owes its success in part due to the Civil Rights Movement, where gays and lesbians came out in droves to push for their rights and the ability to live their lives freely and authentically. The extant literature on gays and lesbians, in addition to the findings here, will contribute to the expansion of knowledge available on transgender individuals and their rights, and how public policy addresses them.

In this thesis, I argue that by examining the ratings given by the general public on those who identify as transgender via a feeling thermometer provided by the American National Election Survey, the results demonstrate that there is an upward trend of attitudes towards transgender individuals. Using multiple regression analyses, I found that region and frequency of attendance to religious services are among the influential demographic variables that determine changing attitudes towards transgender individuals. This research should add to the existing literature on LGBTQ+ politics, in a way that proves both meaningful for future survey research and for the future of LGBTQ+ rights.

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CHAPTER ONE: INTRODUCTION

In order to study changing attitudes towards the transgender community, we need to look first to their emergence into society and mainstream culture. The emergence of the T in LGBTQIA+ dates back to the eighties, but their first appearance was approximately two decades earlier during an event known as the Stonewall Riots (Michelson and Harrison, page 154, 2020). Marsha P. Johnson, a transgendered female activist, was perhaps one of the first prominent civil rights figures to emerge onto the scene. As both a person of color and a transgender female, Johnson sparked more than a small controversy when she was arrested for protesting her basic civil rights outside of Greenwich Village, located in a prominent gay district in New York City. Johnson, along with other activists, lit the flames to the revolution known as the Civil Rights Movement. The Civil Rights Movement occurred during the 1950s and 1960s and was a pivotal period in time where LGBTQ+ individuals were first gaining notoriety for speaking out against the injustices that were done to them (Philips, page 101, 2017).

Regarding injustices against same-sex couples, however, a privately-owned bakery refused to serve a same-sex couple their wedding cake order on the basis of their sexual orientation and preference (George, page 624, 2019). The Court ruled that discrimination on the basis of sexual orientation was unconstitutional, despite the nature of the business being private (George, page 624, 2019). Further, discrimination on the basis of sex or orientation is unlawful by federal standards. Although, some states have sought loopholes to the current legislation. Private businesses and organizations have no business refusing service of any kind to any member of the LGBTQ+ community; it is highly unethical and discriminatory in nature. Regarding private

matters, the Court has also ruled on cases involving sodomy and marriage between individuals of the same sex, such as *Bowers v. Hardwick* (1986) and *Lawrence v. Texas* (2003). Beginning in 2012, marriage equality for gays and lesbians gained momentum at the ballot box (George, page 556, 2019). It was not until 2015 that same sex marriage became legalized in all fifty states in the United States. At the state level, however, some states can still refuse to honor a marriage certificate obtained in another state between two individuals of the same sex. The purpose of highlighting this legislative action is to demonstrate that though attitudes towards the LGBTQ+ community have over time shown acceptance and tolerance of these individuals by the majority of the outgroup, those who do not identify as LGBTQ+, there are still attitudes that have yet to be swayed by legislation or public opinion.

The aforementioned cases involve the actions of two consenting adults behind closed doors in the privacy of their own dwelling. In each case, *Romer v. Evans* and *Bowers v. Hardwick*, the Court decided that it was able to outlaw sodomy as the act was unconstitutional. In both cases, the Court ruled against the individual in favor of the needs of the many. In the case of transgender individuals, they are often overlooked for the needs of the LGBTQ+ community. The reach that these Court cases have over civilian life is appalling and concerning. Nowhere in the Constitution is it written that the American people should prioritize the needs of an individual over the needs of the group; to be clear, this does not mean disregarding the needs of the individual, but rather striking a balance between the two.

A great deal of literature surrounding the rights afforded to gays and lesbians exists and the foundation upon which this research was conducted has strengthened over the last three to four decades. Unfortunately, the same cannot be said for transgender individuals, whom are still not

afforded the full spectrum of rights under federal law. The term transgender refers to an individual whose appearance, behavior or personal characteristics differ from the gender norm (Flynn, page 392, 2001). Transgender individuals are often ostracized, belittled, and in extreme cases, targets of hate crimes in which most of the victims are killed. Furthermore, transgender individuals are often subjected to discriminatory legislative practices, such as the bathroom bill, H.B. 2, created in North Carolina, to outlaw transgender individuals from using the bathroom of their preferred gender, forcing them into bathrooms where they are not only uncomfortable but often victimized (Barnett, Nesbit, and Sorrentino, page 232, 2018). The right to privacy is a basic human right afforded to most people, and it should, without question, apply to transgender individuals.

Interestingly, a transgender individual may also identify as gay, lesbian, bisexual or any number of overlapping orientations. In distinguishing gender identity from sexual orientation, each must be defined separately. Gender identity, previously thought of dichotomously as male or femaleness, now exists on a broad spectrum. Individuals can be either entirely masculine appearing, feminine appearing, or somewhere in between. Sexual orientation refers to the attraction an individual has to others. If they are attracted to same-sex partners, they may identify as gay or lesbian. Opposite sex partners would denote heterosexuality. Still, their orientation can change depending on which gender they perceive themselves to be. For a more accurate representation of these identities, there is a widely circulated image known as the Genderbread Person, which depicts how sex, gender, orientation, and identity overlap. As a personal example, I identify as a cisgender, bisexual, biromantic female; this means that my biological characteristics match up with my physical appearance, and that I find attraction to both same and opposite-sex partners.

In 2013, after many years of being misdiagnosed as a disorder, the term transgender was no longer classified as a disorder in the Diagnostic and Statistical Manual of Mental Disorders (Drescher, page 428, 2010). This allowed many individuals to be more open about their gender identity and presented larger implications for the future of therapy concerning gender dysphoria. Gender dysphoria is a condition where an individual's gender identity does not align with their physical being, producing extreme feelings of unease and discomfort for the individual. It is this malalignment that creates dissonance in the minds of these individuals when they try to reconcile with their anatomical differences of appearing as one gender, and their sense of belonging to the other. These individuals also must undergo hormone therapy, name changes, adjust to new pronouns, and be able to successfully transition without fear of being stuck in the middle of the two genders. The importance of celebrity status to bring recognition to this marginalized community is evident with how highly publicized Caitlyn Jenner's coming out story was in April of 2015 (Michelson and Harrison, page 133, 2020).

As of late, the focus on the transgender community via transgender-identifying celebrities allows the general public to obtain increased awareness to the plight of transgender individuals in that they are targeted and victimized by those who do not understand their identity. Among the issues faced by this group of individuals, gender dysphoria presents a grave threat to the identity of these individuals as well (Patterson and D'Augelli, page 9, 2012). Dysphoria does not occur in every case involving a transgender individual, but rather in most cases. Allowing transgender individuals, a safe, private space with which to conduct their private business and use of restroom facilities assures that they will have a space in society reserved for them where they can feel comfortable in their own skin. This may not mean much in the grand scheme of things, but when

isolated incidents of violence against transgender individuals necessitate the adoption of a Transgender Day of Remembrance, there is much to be said of the backlash against the community.

As such, the research question seeks to examine attitudes towards a specific subset of the LGBTQ+ community: transgender individuals. I study: “To what extent do attitudes toward the transgender community depend on external factors such as region, contact theory, religion, and racial spillover?” Currently, there are 700,000 Americans living in the United States that identify as transgender or nonbinary (Schuster, Reisner and Onorato, page 102, 2016). Compared to the gay and lesbian community, this is a much smaller group within the LGBTQ+ community. I expect that contact theory predisposes those who have contact with someone who is LGBTQ+ as more likely to support LGBTQ+ rights such as that of same-sex marriage (Tadlock et. al, page 958, 2017). Contact with lesbian and gay persons by someone who does not identify as gay, lesbian, or transgender generally allows them to familiarize themselves with someone of a different orientation and thereby acclimate to them. Interestingly enough, there is not consistent support for contact theory in the case of the transgender community. This is because many Americans do not have contact with a transgender individual or have not been introduced to someone in the public eye who identifies as transgender. In addition, racial spillover presumes that there is an attitude spillover of historical racism and prejudice that arose pre-Civil Rights Movement (Bunyasi and Smith, page 189, 2019). The relationship that these concepts outline is that attitudes have not dissipated, but rather carried over to the transgender community due to the presence of ‘otherness’ in this community, as perceived by society. I expect that racial resentment will be negatively correlated to attitudes on the bathroom bill.

This thesis will look at feeling thermometers towards gays and transgendered individuals, as well as ideology, and determine whether or not each is a statistically significant predictor of attitudes towards transgender individuals by isolating and testing each via case study and regression analysis. I examine the relationship between the transgender bathroom bill and variables like region, religion, age, race, education and other demographic variables to assess their impact on attitudes towards transgender individuals. I use data from the 2016 American National Election Survey Dataset, the foremost dataset to include questions about the transgender community (Harrison and Michelson, page 65, 2019). This dataset, in comparison with datasets prior, includes variables that strictly relate to the transgender community. Further, this dataset can be applied to attitudes from previous collections to monitor the change in attitudes on policy issues like it, as same sex marriage became a hot-button issue well before the gender-neutral bathroom bill was conceived. The dependent variable is attitudes towards the transgender community, while age, race, gender, education and income, along with frequency of attendance to religious services are the independent variables. I expect that people in the South will hold more negative views toward the transgender community than people in other regions of the US, that church attendance increase negative perceptions of the transgender community, that for the feeling thermometer on both gays and transgender individuals- I expect a positive relationship between attitudes towards gays and transgender individuals to increase positive perceptions of the transgender community via the bathroom bill. Comparing those in the South to the rest of the American populace located elsewhere allows for the data to demonstrate the impact of Southern conservatism on LGBTQ politics. This study aims to provide connections back to the extant literature on LGBTQ+ politics by focusing on an understudied group- transgendered individuals- and the distinct problems

individuals who belong to this community face and is particularly important now as the LGBTQ+ community faces existing threats to their freedoms and civil liberties.

The need to study this topic is due to the outstanding controversial issue of where transgender individuals can go to relieve themselves, and by a larger margin, where they are safe. Safety is a top priority of both local and federal government, and those that seek security in times of utmost need. Regarding the bulk of the cases pertaining to the rights of transgender individuals in courts of law, the legislation fails to acknowledge whether or not limiting the few on resources would benefit the many. Creating new gender-neutral restrooms requires proper financial allocation and architectural planning to ensure that there is a safe space reserved for these individuals. Notwithstanding that these individuals are still capable of using the already marked restrooms of the gender they prefer; these restrooms could be labeled unisex so as not to offend anyone who needs to use them or create confusion when someone of the opposite gender utilizes these facilities.

In the wake of President Donald J. Trump's inauguration, LGBTQ+ individuals have had their rights challenged federally. For instance, Trump has sought out to ban transgender individuals from military service, solely on the basis of sexual discrimination, citing that they are unable to perform their duties as active service members within the branches of the Armed Forces (Bader, page 729-30, 2018). Trump has also been quoted as stating that transgender individuals pose a threat to the foundation of the military, and that the cost of allowing them to voluntarily enlist would outweigh the benefits of having them serve in the United States Armed Forces (Bader, page 730, 2018). In a press release, Trump has vilified the trans community, by declaring that the Armed Forces cannot be bothered with the medical costs of its transgender servicemen and women. This

study will highlight why these freedoms are so fundamental to the course of US history. If banning transgender individuals from joining the Armed Forces is allowed, where should the line be drawn to prevent stripping the transgender community of its rights entirely? Upon completion of this project, the research should highlight that public policy is influenced by both elite cues and public opinion, with special attention paid to current events surrounding the Trump administration and its anti-transgender stance.

As it stands, there are no overarching federal laws protecting transgender individuals from discrimination in the workplace (Bader, page 714, 2018). There are also few states which have executed specific laws excluding transgender individuals from the use of public restrooms due to the fact that states have either circumvented the issue by creating gender-neutral bathrooms, or forcibly imposed upon transgender individuals the notion that they must use the bathroom of their gender identity as listed on their birth certificate. Some schools and workplaces, however, have gone as far as disallowing transgender individuals to use the facilities of their preferred gender unless they can prove that they have undergone gender reassignment surgery (Philips, page 109, 2017). This admission is not only demeaning to those who identify as transgender but forces them to be subjected to public ridicule upon refusal of proof. Furthermore, transgender individuals should be afforded equal protection under the law with regard to right to privacy, as several court cases have already ruled on this matter and set the precedent. As a result, states are slow to create legislation that is transgender-inclusive; the first major amendment created that discusses the rights of transgender individuals was the Equal Rights Amendment (Levi and Redman, page 139. 2010).

There is great opposition to bathroom bills that are passed in other states, using the notion that non-trans men and women will use restroom facilities as a way to target school-aged children,

thereby making the environment unsafe for children to enter. Furthermore, these transgender men and women are also labeled as a threat to others due to the discomfort with which their “otherness” may disrupt the functions of others in these facilities (Levi and Redman, page 182, 2010). Statistically speaking, the rate at which non-trans men pretend to be transgender to gain access to restroom facilities to be able to violate small children or women is very minimal. The defense that these individuals will use this “trans-ness” as a way to violate others’ rights to privacy is on shaky grounds (Levi and Redman, page 182-3, 2010).

States such as Colorado, Michigan, and most recently, Florida, have dubbed this attempt to gain rights to privacy and separate facilities for transgender individuals the “bathroom bill”. Rhode Island was among the first of the states to introduce any sort of conceptual legislation advocating for the right of transgender individuals to have a safe, neutral space with which to conduct their private affairs, free from discrimination, prejudice and violence against them (Barnett, Nesbitt, Sorrentino, page 233, 2018). To boot, legislation has come out at the federal level. During his administration, President Barack Obama introduced the Employment Non-Discrimination Act, a transgender-inclusive piece of legislation that added gender identity to the roster of items that employers could not use to openly discriminate against employment-seeking applicants. In some cases, case law has been overturned at the Supreme Court level, such as that of *Goins v. West* (Levi and Redman, page 137, 2010).

Violence against the transgender community is just one of the main reasons for this comprehensive study on attitudes towards transgender individuals. It can come about in the form of overt and blatant discrimination against transgender individuals, such as using offensive remarks to label a trans* person. The use of the term transsexual, among others like it, has been

often seen by the LGBTQ+ community as offensive, and the use of these words has been markedly slanderous over the last four decades (Patterson and D'Augelli, page 6, 2012). More recently, more modern forms of discrimination appear subtly and much more covert (Patterson and D'Augelli, page 4, 2012). Furthermore, the increasing violence towards the transgender community indicates that the trend of overall approval towards those who have been previously marginalized by society does not apply to them. Nevertheless, contact theory suggests that intergroup contact with someone who identifies as transgender has those who had contact with or currently have contact with a transgender individual promotes positive thinking about the transgender community as a whole. Further, this does not apply to their civil rights and liberties, such that those who may not view the transgender community positively may still support the acquisition of their rights and liberties, despite the negative outlook towards the community.

The threats facing the transgender community in addition to having their identity questioned by the media and society overall, are overt acts of violence against them, job and housing insecurity, the loss of basic civil rights and liberties afforded to most, and their inability to serve openly in the Armed Forces. For the sake of this research, focusing on the bathroom bills espoused by various states and the overwhelming threats to safety that they pose across the country is a legitimate area of focus. To date, transgender individuals are not given much of an option with regard to public restroom facilities and washrooms. The resulting consequences of this either forces these individuals to be ostracized upon entering the restroom of their preferred gender, forces them to use the restroom of the gender listed on their birth certificate, or creates long term health problems for them if they choose not to relieve themselves. Further, the anxiety attached to this daily occurrence for these individuals warrants them proper and adequate medical care in the event of these health problems (Schuster, Reisner and Onorato, page 102, 2016).

On top of the unacceptable mistreatment and misgendering of transgender individuals, transgender individuals do not receive adequate health care in the event that they elect to start hormone therapy or undergo gender reassignment surgery. As an added insult to injury, the Trump administration has pushed to have these individuals denied medical care on the basis of their newly formed gender identities, allowing medical facilities and hospitals to turn them away at their leisure (Schuster, Reisner and Onorato, page 102-103, 2016). The result of these grave injustices poses a threat to transgender lives, all across the United States. Few data exist on the threats facing transgender individuals, which compounds the already existing problem of how to quantify the struggles facing the transgender community.

Additionally, very few surveys have been taken of the transgender community, and there is an extreme lack of data on their experiences in society. Up until as recently as 2016, no such data on the transgender community had been collected to assess the general public's perception of the transgender community (Patterson and D'Augelli, page 15, 2012). Issues such as the transgender in the military as well as gender-neutral bathrooms have shed light on what it means to be transgender. As mentioned previously, very few Americans are cited as having had contact with someone who identifies as transgender. The American National Election Survey was responsible for creating the first public survey which included a feeling thermometer to assess the level of comfortability that Americans have with those who identify as transgender. The questions consisted of whether they knew someone who identified as transgender, whether that individual was an acquaintance, friend or family member, and how comfortable they would be in interacting with a transgender-identifying person in various social situations (Harrison and Michelson, page 65, 2018). Over time, more surveys have been taken, and the approval rating of transgender individuals has gone up. Alas, changing the hearts and minds of Americans proves to be an arduous

task. Several theorists such as Michelle Michelson say that any attempt to disavow or to not acknowledge these negative feelings that people have towards transgender individuals only furthers their disapproval. In order to make people adjust to the presence of transgender individuals in society, we have to first acknowledge their discontent and discomfort, and then proceed by reassuring them that transgender individuals pose no threat to their personal identity (Michelson and Harrison, page 106, 2020).

The next section of this paper will focus specifically on case law, as the extant literature has laid out, to better frame the question of changing attitudes towards the transgender community. These cases add to my thesis in a meaningful and impactful way, by showing the connection that discrimination and inequality has to transgender rights, and by pointing the reader in the direction of how to help others achieve equality by way of improving the perception of transgender individuals in the United States. Each case exemplifies the need for a redirection of issue focus for federal and local government officials, and for people to act as politically aware constituents within their voting districts.

CHAPTER TWO: LITERATURE REVIEW

CULTURE WAR LITERATURE

The culture war in America signifies a clash of cultures during the era of insurgent Pat Buchanan. During this time, classic economic conflicts were replaced by emergent moral and religious conflicts (Fiorina, page 1, 2004). Some of these conflicts included controversial issues that are still facing Americans today, like a woman's right to an abortion, or the right of two individuals of the same sex to enter into marriage. There have been countless cases brought before the Supreme Court to decide on each of these matters. Issues like same-sex marriage have evolved into theories about other groups within the LGBTQ+ community. In *Culture War?: The Myth of a Polarized America*, author Morris Fiorina discusses each of these controversial topics that have shaped the culture war in America, a war that millions have never heard about.

Before discussing each of the relevant cases to the theory on transgender rights, noting that the theory of transgender rights and the question of gender-neutral bathrooms originates from other similarly situated cultural and social issues such as abortion, same-sex marriage, and the like is important to understanding the overall theory espoused herein. Most notably, same sex marriage was legalized on June 26th, 2015. Without the presence of important historical figures like Harvey Milk and Marsha P. Johnson, the advancements made to civil rights would not be possible. These individuals fought to have initiatives featured at the ballot boxes, allowing Americans the right to decide on how to best address such issues as same sex marriage and abortion rights. My theory carries over from the contemporary literature by explaining how transgender rights have evolved.

For many years, political leaders brought to the fore controversial decisions like *Roe v Wade*, which related to a woman's right to an abortion (Fiorina, page 34, 2004). The right to life

movement coalesced out of this Supreme Court decision. According to Fiorina, there are several myths about the culture war that rest on myths surrounding public opinion about abortion. First, many assume that Americans are extremely polarized on the issue of abortion. This claim is false. Secondly, it is assumed that abortion is not susceptible to compromise- which is also false. Finally, there lies an assumption about the gender gap that posits that women are disproportionately Democratic and men disproportionately Republican on the issue of abortion. Accordingly, the gender gap has little to do with the issue of abortion (Fiorina, page 34, 2004). The purpose of including abortion rights in contrast to transgender rights is that the former is not so much a 'gender' issue as the latter. Moreover, the next controversial issue will highlight the need for attention to gender issues.

After same sex marriage became legalized, opponents of the movement needed a new target for their anti-LGBTQ rhetoric. Therefore, they refocused their energies toward a more viable audience: transgender individuals. This particular group of individuals has long been ostracized for being different in society, due to their gender non-conforming status. Interestingly enough, to maintain gender identity antidiscrimination protections, transgender rights were presented in the way of adherence to the gender binary. This often forced those who did not ascribe to the gender binary, male or female, to feel trapped in this duality. Further, as gays and lesbians gained visibility at the altar, backlash took the form of opposition to transgender rights (George, page 556, 2019). This same opposition to transgender rights is prevalent today in the form of the gender-neutral bathroom bill, where this discriminatory piece of legislation asserts that these individuals should use the restroom facilities of the gender listed on their birth certificate.

The term transgender was culturally thought to refer to only those who frequented the nightclub and bar scene, those dressing as the opposite gender (cross-dressers) and those performing acts in drag. It later came to mean those who identified as another gender, or the ‘other’ gender. Oftentimes, the meaning of the term transgender is perverted by those outside the LGBTQ+ community, with slurs such as ‘tranny’ and terms such as transvestite. During the era of Harvey Milk and the ‘Hope’ speech, not much was known about the transgender community, much less about the gay and lesbian communities. However, Milk and his cohorts faced considerable adversity in their pro- LGBTQ+ campaign as his political opponent, John Briggs launched an initiative to rid California schools of gay educators (Black and Morris, page 63, 2012). It was certified as Proposition 6 the following May. The rollback of LGBTQ+ rights has happened time and again, so the struggle faced by LGBTQ+ Americans is nothing new.

Since the inception of his campaign, now President Joseph R. Biden has vowed to protect LGBTQ+ Americans against employment termination in their workplaces, by installing protections for all LGBTQ+ Americans with regard to employment discrimination and the ENDA. Currently, the Biden Administration is working to ensure that other similarly situated issues like abortion rights and same sex marriage remain viable options for Americans and that these rights remain a reality for all. Despite all the work that has been done, the messaging of overall LGBTQ+ rights may undermine the movement’s broader litigation strategy and subject nonbinary members of the transgender community to greater discrimination and persecution (George, page 555, 2019).

Obstacles that inhibit the advancement of transgender rights are those at the head of the movement that suggest that the protection of transgender individuals should be centered on those who follow the gender binary. However, framing transgender rights extends beyond whether a

city or state maintains or eliminates their gender identity protections (George, page 555, 2019). According to Fiorina, homosexuality was contended by the Courts in 2003, in *Lawrence v. Texas*, which struck down a Texas sodomy statute (Fiorina, page 55, 2004). That decision reversed an earlier Court decision, handed down through *Bowers v. Hardwick*. Issues like abortion rights trace back to long before gay rights appeared on the national agenda, despite gays and lesbians coming out in droves during the 1970s.

Earlier in this essay, the impact of individuals like that of Harvey Milk was discussed, and Milk inspired many to organize politically and fight for their own rights and the rights of others. Over the course of history, more controversial issues concerning the rights of the LGBTQ+ community have been brought before the courts, forcing officials to rule on topics like same-sex marriage, and most recently, transgender privacy rights. In the following section, court cases surrounding the notion of transgender rights and the gender-neutral bathroom bill are discussed at length, along with the rulings on each of these cases and how that has shaped the future of transgender equality.

CASE STUDIES

The first case involving a transgender individual concerning their rights to privacy dates back to the 1970s, when rights and privileges differed for men and women. This was mostly due to the fact that physical sex was centered on immutable characteristics (Caldwell, page 495, 2020). Therefore, the first case that arrived at the Supreme Court was *Grimm v. Gloucester County School Board*, where a transgender teen challenged his school's bathroom policies due to the fact that he was unable to use the restroom of his preferred gender, and thereby forced to use the facilities of the gender listed on his birth certificate (Philips, page 102-3, 2017). This is a highly problematic approach to a relatively simple problem in that the whole embarrassing ordeal for the teen could

have been avoided if school administrators were to allow the young male to use the restroom facilities of the gender he preferred. It is not commonplace to disallow individuals to use the restroom of their gender. Yet, we forgo allowing it in the case of transgender individuals their choice of restroom when they require digestive relief.

In this thesis, I make little mention of the psychological harm that this can cause for transgender individuals but focus more on the consequences of not allowing them the use of facilities or of adequate medical care. Psychologists would affirm that depriving someone of the ability to execute a basic function of their lives does equal harm to both the individual's mental state and physical health. Still, there are Court decisions that do not require a fully formed transgender identity to discriminate against a specific individual. Other similarly situated cases followed suit shortly, thereafter, forcing the Courts at the highest level to decide on a precedent for any future cases involving bathroom legislation.

Following that, the *Price Waterhouse* case set the precedent for all future cases involving sex discrimination, not just gender discrimination (Flynn, page 400, 2001). The *Price Waterhouse* case is important in that effeminate men were not held to the same standard as masculine women. In *Price Waterhouse*, the Court held that an employer violated Title VII when, in its evaluation of a female executive, the employer relied on gender role stereotypes of how a woman is supposed to present herself. The Supreme Court later held that comments such as the ones directed at Hopkins of her appearing more "macho" were evidence of impermissible gender stereotyping. Further, the Court refuted that Title VII did not apply to an employer's presumptions about how men and women are supposed to act (Flynn, page 397, 2001).

Price Waterhouse Co v. Hopkins signaled to Courts that it was acceptable to discriminate against a woman who appeared more masculine in demeanor than what was acceptable of a woman seeking a position within their company. Per the decision in *Price Waterhouse*, Judge Gesell argued that “The firm of Price Waterhouse refused to make Anne Hopkins a partner. Gender-based stereotyping played a role in this decision.” Thus, making this a landmark decision on same sex discrimination cases (Fiske et al., page 1049, 1991). If gender-based stereotyping were admissible in mainstream society, many wondered about their rights to free agency over themselves. Being told where to relive oneself is demeaning, being told that you have to change who you are to fit some narrative imposed upon yourself by your place of employment is another. Places of employment are barred from discriminating against any man or woman for the job based on their race, religion, ethnicity, and as of recently, sex. Unfortunately, enough, not every role in every place of employment is suitable for every single person. Some roles, not necessarily depending on the applicants’ qualifications, rather dependent upon other traits, are withheld from transgender individuals because the individual hiring them has a person bias towards or vendetta with the trans community. The importance of the gender-neutral bathroom bill in this case is to outline another form of discrimination that transgender individuals have faced.

Flynn’s argument centers on the fact that women are unlikely to be viewed as equal to men until legislation is able to demonstrate that some women have penises, and some men have vaginas. Moreover, Flynn contends that profound harms flow from discrimination due to the fact that there is a failure to conform to gender roles, and in particular, the devaluation of femininity (Flynn, page 399, 2001). The *Schwenk v. Hartford* case exemplifies this notion. *Schwenk* relied on the precedent set by cases such as *Price Waterhouse* as a key determinant of whether or not to include gender via transsexuality into the definition of sex discrimination. Regarding the *Schwenk* case, Title VII’s

protections were extended to those persons deemed inappropriately feminine. In the aforementioned case, plaintiff Crystal Marie Schwenk alleged that a prison guard, Robert Mitchell, had attempted to rape her. In response, Martin argued that the attack on Schwenk was not motivated by her gender, but rather by her transsexuality. The Ninth Circuit Court ruled that persons who were anatomically male but whose outward behavior did not match social definitions of masculinity were not guaranteed protections under Title VII on the grounds that they were victims of gender discrimination rather than sex discrimination (Flynn, page 400, 2001).

The decision in *Schwenk* is instrumental for a variety of reasons. First, it allowed the Court to rationalize that in the face of the apparent incongruity between sex and gender, that the terms have become interchangeable. Second, it allowed for the recognition that sex is more important than just for anatomical sake to both transgender rights and women's rights. Third, it aids the Ninth Circuit in diminishing the obstacles that have long stymied feminists (Flynn, page 401, 2001). The 'lack of interest' defense put forth in *EEOC v. Sears* states that women will avoid high paying jobs due to lack of interest in highly competitive fields, in lieu of more comfortable workspaces. *Sears* assumed that women are predisposed to be less competitive than their male counterparts. Undoubtedly, gender role stereotypes at this time played an integral role in deciding which positions in the workforce were sought after by men and which were sought after by women.

The question of gender roles presents a bit of confusion with regard to transgenderism, as this 'other' identity falls neither neatly into masculinity nor femininity. Regarding Title VII, this particular piece of legislation was fundamental in the decision-making process in quite a few cases beyond that of *Schwenk*. One such case, *Oncale vs. Sundowner Offshore Services, Inc.*, highlighted the notion that sexual orientation discrimination was often permitted, compared to sex

discrimination, which employers could use to escape liability entirely (Flynn, page 401-2, 2001). In cases like these, though, the Court failed to apply the rationale of *Schwenk* to its decision making in that the assault stemmed from the fact that the perpetrator believed that the victim was a man ‘who failed to act like one’, which is an actionable form of sex discrimination (Flynn, page 402, 2001).

In the following case, Courts and legislators attempted to push the bounds of transgender rights to see what tightening the leash on what transgender individuals were allowed to do by law. Such as in *Schwenk v Hartford*, where the issue of transsexuality was contentious. Transsexuals were thought of in lesser, more crude terms than that of transgender individuals. Perhaps they were a stigma placed upon the transgender community due to the lack of knowledge others possessed about the transgender community. As I move onto the next piece of the puzzle, there are connections being drawn from each Court decision. Each decision highlights a form of sex or sexual orientation discrimination that can be easily traced to someone within the transgender community.

What these cases outline is the necessity for the incorporation of gender and sexual orientation into Title VII’s language. The law specifically does not list gender with regard to effeminate men but prosecutes women who appear too masculine. In addition, by ruling out effeminate men from its code, it presents a double standard in that men do not accessorize and is harmful to gay men in that way. Moreover, it presupposes that transgender individuals must fit neatly into either masculine or feminine boxes and refuses to make sense of when they do not. Title VII should recognize that some women have penises, some men have vaginas, and that anatomical sex does not always align with gender or orientation. As a symbolic representation of

the overlap between sex, gender and orientation, the Genderbread Person has been utilized as the primary visual aid for explaining the existence of the LGBTQ+ community.

The Genderbread Person is a visual aid that depicts a gingerbread figure with a brain, a heart, and sexual organs-- for the purpose of teaching the general public how to determine the interwoven nature of sex, gender identity, and sexual orientation. For the purposes of this paper, sex refers to the anatomical characteristics of a person's reproductive and sexual organs, gender identity to how the individual identifies (male or female, cisgender or transgender, even agender), and sexual orientation to the attraction they develop to those around them (les, bi, gay, pansexual or asexual). These identities create what we know today as the LGBTQ+ community. To better understand how this community came to exist, the origins of the individual communities that make up the landscape of LGBTQ+, are just as important as the history of the community itself.

Lesbians and gays were among the first to emerge during the Civil Rights Movement of the 1960s, with famed politician and San Franciscan Harvey Milk as the face of the movement. Milk began his political career working with a small, tight knit group to advance the rights of lesbians and gays first in a small community known as the Castro, then later on all across San Francisco. Among the issues that Milk and his group of supporters addressed were the rights of gays and lesbians to live loudly and proudly without fear of discrimination or violence against them by others who did not support their lifestyle. More importantly, the problem with assuming that the pursuit of a life free of prejudice and discrimination should be labeled as a 'lifestyle choice' undermines the notion that gays and lesbians were born of the nature that makes them attracted to the same sex. One's attraction to someone of the same sex is surely a part of their genetic makeup, a viewpoint which I will not stray from for the purposes of this paper. Citing the beginnings of the

lesbian and gay rights movement allows for a comprehensive portrait of the entire LGBTQ+ landscape. The coming out of gays and lesbians paved the way for transgender individuals who felt more comfortable ‘coming out’ to their families, close friends, and on occasion, some of their coworkers. In what was known as the “Hope Speech”, Milk asserted that individuals should come out to those that they could trust as safe allies only if and when they felt safe enough to do so (Black and Morris, page 70, 2011).

The presence of allies to bolster support for the LGBTQ+ community cannot be understated. On the other hand, there has not always been widespread support for lesbians and gays, much less bisexuals and those who identify as transgender. Over time, there has been a shift of attitudes toward the transgender community, thanks to the positive rhetoric of those in leadership at the highest offices in our nation. President Barack H. Obama demonstrated his support of the LGBTQ+ community during his first term as President by repealing “Don’t Ask, Don’t Tell”, a critical piece of legislation that forced those who were serving in the Armed Forces to keep their sexual preferences hidden, or risk being dishonorably discharged. Obama worked diligently with the Supreme Court to push for marriage equality for same-sex couples all over the nation. In doing so, he overturned the Defense of Marriage Act of 1996, which states that marriages between two individuals of the same sex do not constitute legal unions-- on the premise that marriage is between a man and a woman. This act had been signed into law by President Clinton in an effort to stymie the agenda for gay rights (Hetherington, Loc 1220, 2009). On June 26th, 2015, same-sex marriage was legalized in all fifty states thanks to the tireless efforts of both President Obama and his Administration.

The Trump Administration has worked to undo all of the progress made by the previous administration due in large part to the support of special interest groups and religious organizations seeking reparations for the actions of the Obama Administration. These organizations are spearheaded by religious conservatives whose stance on same-sex marriage is synonymous with that of scripture found in the Bible. Accordingly, marriage is defined as a union between a man and a woman. Conservatives have often been quoted lambasting same-sex marriage, refusing to recognize any such union in any of their religious establishments, regardless of the separation of church and state.

Implementing policy intended for the sole purpose of openly discriminating against individuals who identify as lesbian, gay, bisexual or transgender is not only unethical from a business standpoint, but also from a moral standpoint. As such, there have been committees created to address the discriminatory practices of businesses that either a) refuse service to someone who identifies as transgender, or b) refuse to allow transgender individuals to use their restroom facilities simply on the basis of their being transgender. Some companies have gone as far as forcing these individuals to use restroom facilities of the gender they do not identify with to get across the point that their presence is unwelcomed, or in not having restroom facilities at all, forcing them to seek relief elsewhere.

The uphill battle faced by transgender individuals in all aspects of their daily life warrants scrutiny on the organizations that are imposing these harmful restrictions upon them. These organizations, those that are backed by religious conservatives voicing their discontent with how transgender individuals conduct their daily lives, have only scripture as the basis for demonstrating the harms that being transgender in society poses for the general public. If, as Michelson argues,

transgender individuals pose no more harm than that of any other individual, regardless of sex or gender, then there is no logical reason for the general public to worry about accommodating transgender individuals in any aspect of daily life. Transgender individuals conduct their lives no different than that of any other American. They merely seek the same treatment as every other individual- to live where they want, work where they want, eat where they please, love who they love, and be free to live an authentic life, free of persecution. Legislation must be amended to account for their inclusion into society, and it is the duty of the Courts to do as they see fit to ensure the safety and security of these individuals.

Finally, wrapping up the discussion on transgender individuals and their search for equality is the need to remove harmful legislation already in place to ensure that there are no barriers to safeguarding the rights of these individuals. In the same way that Obama repealed ‘Don’t Ask, Don’t Tell’, we need to make sure that any harmful Trump era policies intended to prevent transgender individuals from pursuing proper employment, adequate housing and medical care, their future careers, or otherwise are rolled back.

Much of the data on transgender Americans centers on the experiences of transgender men, and not women who have transitioned. The uneven nature of the collection of data on transgender Americans presents the unique problem of an inaccurate picture of the experience of transgender Americans. The difficulties faced in acquiring the funds for both hormone therapy and sexual reassignment surgery are among the primary reasons that transgender Americans are reluctant to go through the transition process fully. With the Trump administration rolling back protections on transgender Americans regarding medical care, it is becoming increasingly difficult for these individuals to obtain the adequate treatment and therapy they need to live fully authentic lives.

It stands to reason that with legislation being swayed by both elites' cues and public opinion that accomplishing complete and true equality for transgender individuals under federal law requires more than a few amendments. Looking to the progression of case law, the Courts have determined sex and gender to be interchangeable, wherein laws like Title VII are problematic in this regard when trying to determine in which direction to go with transgender-inclusive legislation. Consequently, the future of any pro LGBT legislation requires the force of pro LGBT leadership behind it in order to secure its successful passage. Currently, the Trump administration has sought out the nomination of Amy Coney Barrett to the Supreme Court, whose background is that of a Christian mother of seven and advocate of pro-life policies. It is highly unlikely that with this nomination that the Supreme Court will have gained a pro LGBT rights Justice, given her record of voting on anti-LGBT legislation. At the same time, social justice warriors and civil rights groups have lobbied to ensure the security of the rights of the LGBTQ+ community in the wake of the nomination of a conservative Justice to the Supreme Court.

The first step in ensuring complete and true equality for transgender individuals is in allowing them their basic rights. These rights include the ability to use restroom facilities without being targeted in hate crimes or being dismissed from a job on the sole basis of their appearing "too masculine" or "dressed like a woman". Since the 1960s, transgender Americans have been the subject of ridicule in both public daily lives, as well as television and news media. Most daytime television programs have depicted transgender individuals in a negative and often inaccurate lighting. At the heart of the issue is the premise that most Americans do not know much about transgender Americans and what it means to be transgender. However, acting roles like that of Sophia Bursett, portrayed by transgender actress Laverne Cox, in the Netflix original series *Orange is the New Black* have attempted to set the record straight about the struggles faced by

transgender Americans, much less those who are incarcerated. For her role as Sophia Bursett, Cox won various awards for her excellent portrayal.

In addition to roles such as the one portrayed by transgender actress and activist Laverne Cox, casting transgender celebrities to play transgender roles allow for Americans to become familiar with prominent transgender figures like Cox and Jenner. The television network *CW* recently cast transgender actress Nicole Maines for the role of *Dreamer*, a transgender superhero with powers of telekinesis and the ability to see the future. The increasing inclusivity of television and news media to showcase transgender Americans has fundamental implications for the future, as the size of the transgender community is marginal when compared to the rest of the LGBTQ+ community. As mentioned previously, there are currently 700,000 Americans who identify as transgender.

The prominence of LGBTQ+ celebrities in television and news media has increased over the last five decades, as evidenced by the number of recorded LGBTQ+ characters in various survey statistics. Individuals both straight and queer who have signed up to play these roles have advanced the recognition of the LGBTQ+ community as familiar and friendly faces that pose zero threat to the lives of those in the outgroup. Furthermore, the presence of LGBTQ+ identifying politicians and legislators provides LGBTQ+ Americans with a safe space to be themselves by connecting with their local representatives who are both allies to the community, and members of the community itself. Representatives and local leaders who choose to self-identify publicly as LGBTQ+ are in a better position politically to provide support to the constituents in their community by demonstrating their ability to live their lives authentically.

On the contrary, straight actors who play queer roles on television often receive great backlash, as those roles would be better served by someone who identifies as LGBTQ+. In so doing, the purpose of highlighting the experience of transgender Americans in daily public life can be accurately presented to the general public. The experience of the average transgender American is unique in that they must not only face ‘coming out’, but in ‘coming out’, they must also alter their physical appearance to match their gender identity to avoid feelings of dysphoria. Following this, those closest to them are charged with becoming acclimated to their new identity and their physical appearance, consistent with this new identity that they have adopted. In my experience, learning to adjust to using someone’s preferred pronouns, when they differ from the ones that were used at birth, is a bit tricky but not impossible to do. Undoubtedly, the transition process, from start to finish, requires a great deal of patience both by the person undergoing the change to their appearance, and those closest to them.

Regarding attitudes towards those who identify as transgender, acknowledging discomfort with those who identify as transgender is far easier an approach than denying or disavowing their discontent. In denying their disapproval, an individual would be less willing to hear any case made for those who identify as transgender, or any petition on their rights for that matter. Acknowledging the disapproval of someone in the outgroup allows them to realize their biases, recognize that a transgender individual poses no harm to them but rather exists outside of their group, and simply wishes to coexist peacefully. In their book, *Transforming Prejudice*, Michelson and Harrison argue that there are several ways with which to disarm prejudice toward transgender-identifying individuals. The first of these theories, known as the Identity Reassurance Theory, posits that bolstering one’s sense of one’s gender identity should reduce reactance and make people more willing to receive and process supportive information about transgender rights (Michelson and

Harrison, page 94, 2020). Identity Reassurance Theory is predicated upon the notion that the individual one is appealing to has a weak or underdeveloped sense of self, and that in reassuring them of their gender identity, their urge to react in a defensive manner is dampened.

The second of these theories espoused by Michelson and Harrison employs emotions and moral elevation. When people witness acts of moral beauty such as charity, gratitude, loyalty or generosity, the emotional response that it elicits is known as moral elevation (Michelson and Harrison, page 109, 2020). To give an example, a neighbor rushing into a burning building to save a baby trapped on the thirteenth floor evokes moral elevation. It does so because the neighbor is exemplifying charity and generosity by risking his life to save the baby's. According to Michelson and Harrison, this type of appeal is well suited to the transgender community because it assumes that transgender people are emotional, not rational beings (Michelson and Harrison, page 109-10, 2020).

Michelson and Harrison's theory looks at emotions under a variety of scopes. First off, emotions in social psychology state that elites use emotional language to appeal to the public with regard to transgender identity (Michelson and Harrison, page 110, 2020). Regarding emotions and transgender identity, disgust can be a powerful tool when used by elites in leadership to mobilize people against the LGBTQ+ community. Secondly, fear has also been used to mobilize anti-LGBTQ+ voters within the American populace. This fear of the unknown is particularly disastrous because it can lead to overt acts of violence against LGBTQ+ Americans. Contrarily, positive emotions can mitigate this negative response and actually motivate people to vote in support of LGBTQ, or more specifically transgender, rights.

Per the discussion of positive emotions, moral elevation encourages others to similarly act in a virtuous or compassionate manner, to be their better selves (Michelson and Harrison, page 121, 2020). Moral elevation can produce positive attitudes such as those of attitudes toward gay men, or for the purposes of this study, transgender individuals. Transgender advocacy groups like that of the Movement Advancement Project have utilized moral elevation in some of their public campaigns such as in their television advertisement in July 2016 (Michelson and Harrison, page 121, 2020). Moreover, the video includes a definition of what transgender means and frames the issue as one of safety, equality and privacy. It provides a model of how a supportive bystander would aid a transgender individual in ensuring their right to use the restroom of their gender identity (Michelson and Harrison, page 121-2, 2020).

Michelson and Harrison argue that discomfort is a central component of attitudes towards the transgender community, a viewpoint that is shared by many theorists in both the political science field, as well as in the field of social psychology. This discomfort arises out of a fear of the unknown, or the 'other'. Looking back at the Civil Rights Movement, many white Americans were uncomfortable sharing a space with black Americans- 'negroes' as they were called- because of the discomfort of sharing a space with people that the media perceived negatively. White Americans refused to even share seats on public transportation with a person whose skin color differed from their own. Racial minorities were also subjected to racial animus, and feelings of disgust permeated all layers of the socioeconomic stratosphere. Most recently, the Trump Administration and its slogan of "Make America Great Again" has given way to those parts of society that most Americans would deem 'racist', 'bigoted', and 'prejudiced'. Although President Trump has not expressly voiced his support for any groups associated with white supremacy, or

neo-Nazism, these factions in society have taken arms up with the Trump campaign in an effort to make President Trump's campaign align with these ideals.

In highlighting the history of minorities in the United States before, during and after the Civil Rights Movement, it allows for an accurate demonstration of the upward trend of attitudes all across the country over the last few decades. While most Americans feel more positively toward racial minorities, there has been a constant preoccupation within society to identify the 'other'. As of recently, the 'other' is seemingly the transgender community, even with the presence of the Black Lives Matter movement taking place. What makes this all possible? Earlier, I mentioned how contact theory could mitigate negative feelings toward transgender Americans due to the increased interaction between ingroup members, those who identify as transgender, and outgroup members, those who do not identify as transgender. The contact theory holds weight when examining relationships between family members and close friends of gays and lesbians, and gays and lesbians themselves. Studies have sought out the answer to whether the same holds true for the transgender community and its neighbors, but results have proven inconclusive.

The purpose of using quantitative analyses in this project will be to examine the existing data and determine via a feeling thermometer, when controlling for external factors that might influence the results, whether people who have family members and close friends who identify as transgender are more likely to view their family member or friend more positively. Theorists have failed to document their results in a manner that proves to be altogether decisive for the future of relationships between transgender individuals and the rest of the American populace. Yet, their lack of results is a bit telling from a research standpoint, in that transgender issues are extremely contemporary because of lack of policy addressing issues like the bathroom bill, adequate medical

care, or their ability to serve in the Armed Forces. Recall earlier when it was mentioned that there was a lack of literature on the experience of transgender Americans up until 2016.

If contact theory does not support the existing argument that interaction with transgender individuals mitigates negative feelings towards them, what are the driving factors behind these attitudes towards transgender individuals? From the existing literature, conservatism has been a mobilizer of anti-gay attitudes, often tied to frequency of attendance to religious services. Regarding regional data, the South has often been a stronghold for both religious and ideological conservatives and can therefore be assumed to hold more negative views toward the LGBTQ+ community. Also, the notion of racial spillover presumes that there is a negative outlook toward the LGBTQ+ community in that being viewed as the outgroup, fear of the ‘other’ takes shape here with regard to attitudes toward transgender individuals because transgender individuals represent the ‘other’ in society.

From a religious standpoint, conservative values are often tied to scripture found in the Bible. These religious writings, and others like it, are often used to rationalize slinging anti-LGBTQ+ vitriol at the LGBTQ community, as well as backing legislation that profoundly harms the community. Accordingly, these values often influence which side of the same-sex marriage debate most Americans will fall on. Statistically speaking, conservative Americans tend to oppose same-sex marriage, as well as the right of same-sex couples to adopt children, the right of women to have control over their own bodies with regard to abortions, and most importantly, the right of transgender Americans to use the restroom of their preferred gender. The strength of one’s conservative ideals is inextricably linked to the frequency with which an individual attends their

church, temple, or otherwise for religious services. What's more, religiosity reaches its peak in the South, more than anywhere else.

Regarding the South, the South is commonly referred to as the 'Bible Belt' for its overabundance of religious conservatives. Further, the expectation of the South is one of having negative attitudes towards both racial and gendered minorities. Per Barth and Overby, in "*Are Gay Men and Lesbians in the South the New 'Threat'?*", Barth and Overby argue that Blacks have become less ostracized due to the presence of gays and lesbians in the New South (Barth and Overby, page 4, 2003). Previously noted in my work was the expectation that society is preoccupied with recognizing the 'other', or in this case, those who identify as gay and lesbian. As society has grown more comfortable with the presence of gays and lesbians since the publishing of this writing, it is reasonable to surmise that society has merely shifted its focus to home in on the transgender community. The discomfort felt by the religious right is echoed in various states throughout the South. As such, Christian conservatives have often been known to publicly vilify the transgender community, among other religions.

Author of *Post Racial, or Most Racial?* Michael Tesler studies how racial spillover affects perception of elites like that of former President Barack Obama. Obama was the first African American to be elected President of the United States and was among the most progressive leaders that had ever held the highest office in the land. Obama fought for the rights of LGBTQ+ Americans, as well as Black Americans and Latinos. The Black Lives Matter movement took shape during the Obama era, and proliferated much of Obama's policies to see it through that African Americans were given a fair shake in all aspects of life. President Obama implemented legislation that ensured safety from discriminatory business practices such as that of the incident

in a Starbucks where a Black man was denied the right to use the restroom facility due to the fact that he had not purchased something from their menu. He argued that the same standard was not upheld for customers of other races, namely Caucasian Americans.

Admittedly, while racial spillover has racist undertones, it is highly transformative in that it can be applied to gendered minorities as well. In this sense, it is most often applicable to the outgroup in society at the time of its emergence in society. If contemporary theory assumes that transgender individuals comprise the outgroup, then understandably society would ostracize and marginalize them. The Trump Administration has the lofty responsibility of ensuring the safety and security of all Americans, regardless of race, sex, gender identity, or sexual orientation. Regrettably, accountability is not one of the President's commendable attributes, nor is it one of those of his Administration. His Cabinet has emboldened conservative extremists to target transgender individuals' wholesale. Therefore, these elites are responsible for addressing the actions of others that prove detrimental to public safety and security. Elite cues will determine how the issue of extremism is addressed.

Elite cues are a trickle-down effect in that they spill over to the lowest factions of society, resonating with citizens who may have been unaware of their biases toward certain groups of people but only made aware of them through elite and public discourse. One such example of this is the presence of religious extremists who seek to utilize the hateful xenophobic rhetoric to promote the notion of white supremacy and their isolationist ideals. Historically, extremist groups like the Westboro Baptist Church were only mobilized when elites backed them politically and financially. According to John Zaller, author of *The Nature and Origins of Mass Opinion*, Zaller says that citizens in large societies are dependent on unseen and usually unknown others for most

of their information about the larger world in which they live. He also contends that these ‘others’ are often people who have devoted themselves to some aspect of politics or public affairs; most often, these individuals are political elites (Zaller, page 6, 2003).

In *Mass Opinion*, Zaller also contends that this information that people receive is often highly selective and filtered through the lens of those at the highest echelons of politics, such as the President of the United States, and then disseminated throughout based on what elites decide should be transmitted to the public via television, news media, and less frequently, radio and newspaper journalism. The information that peoples receive at the lower levels is heavily scrutinized by elites, and it forces citizens to decide on which side of each issue they stand. Citizens acquire the information they receive in a variety of ways, including the ones that were previously mentioned. When the general public receives the information, citizens convert it into opinions. They formulate their opinions via a process that starts with consideration, which is defined as any reason that might induce an individual to decide a political issue one way or another (Zaller, page 40, 2003). Considerations are composed of beliefs about an object and evaluations about those beliefs. For example, public opinion surveys might ask questions about how an individual feels about the concept of same-sex marriage. The object, or concept, would be same-sex marriage, henceforth making their positive or negative feelings the evaluation of those beliefs.

The next type of message used in elite discourse, cueing messages, consist of “contextual information” about the ideological or partisan implications of a persuasive message. The significance of cueing messages is that, as suggested by Converse (1964), they enable citizens to perceive relationships between the persuasive messages they receive and their political predispositions, which in turn allows them to respond critically to the persuasive messages (Zaller,

page 40, 2003). Cognitive engagement can best be simplified using the term political awareness, which is the attentiveness of an individual to a particular policy issue, such as immigration, abortion, gun control, or transgender rights. Cognitive engagement increases with the level of knowledge an individual has on a particular policy issue. The priver to the issue an individual is, the more likely it is that they will be able to use these tools to respond critically to cueing messages. These messages are used by political elites to mobilize constituents in one direction or another, usually in the direction of their partisan viewpoints.

Authoritarianism often helps to aid leaders in mobilizing voters with strongly held beliefs about policy issues, especially for those who value authoritarianism. In this way, authoritarianism structures the way people view contemporary issues like gay rights (Hetherington, Loc 1207, 2009). Gay rights rose to the forefront of contemporary issues over the last three decades. According to the Diagnostic and Statistical Manual of Mental Disorders, homosexuality was viewed as deviant behavior as early as in the 1970s (Hetherington, Loc 1220, 2009). The reason for this was that many still relied on early teachings of the Bible which outlawed sodomy, and courts often brought criminal charges against anyone who committed the heinous act. To the contrary, the state argues that heightened constitutional scrutiny does not apply to classifications based on sexual orientation. Accordingly, gay persons are effectively indistinguishable from the class of persons engaging in sodomy (Flynn, page 407, 2001). In essence, homosexuality does not necessarily involve the act of sodomy, and does not require such strict scrutiny. One such case, *Bowers v. Hardwick*, concerned the private sexual acts of two men residing within their own home. The Court ruled that it was constitutional to treat the private sexual acts between two consenting adults as criminal vis a vis sodomy (478 U.S. 186, 1986).

Another similar case, known as *Romer v. Evans* (1996), had the opposite decision rendered. In *Romer*, Justice Antonin Scalia dissented that it was unconstitutional to create a law that deprived people of their rights on the grounds of sexual orientation. What these cases tackle is the right to privacy afforded most that is not equally afforded to gay and lesbian persons under the Equal Protection Clause. As such, Amendment 2 violated the Equal Protection Clause, in that it did not legitimize state interest in the matter. If gays and lesbians were able to be stripped of their rights, on the basis of sexual orientation, then Courts could easily rule that the conduct of transgender individuals warranted the same treatment, on the basis that their conduct did not align with their gender identity.

In the case of *Hernandez-Montiel v INS*, which could easily be viewed as a gay rights case, as well as a trans rights case, in that Hernandez was abused for transgressing gender norms, precedent concluded that sexual orientation may constitute a particular social group under the INA. However, the justification for violence against Geovanni that his mistreatment arose from his conduct is tantamount to using the “you asked for it” excuse for rape (Flynn, page 405-6, 2001). Previous cases like *Hernandez* have cited conduct and dress code as reasons for discrimination and outright abuse of those who identify as LGBTQ+. Neither homosexuality nor feminine appearance in the case of transgender individuals or effeminate gay men warrants such mistreatment of LGBTQ+ persons.

Lawrence v. Texas is a prime example of cases surrounding the actions of gay and lesbian couples deemed consensual, but not constitutional. In this case, the Court ruled that the state cannot demean a homosexual person’s existence or control their destiny by making their private sexual conduct a crime. Their right to liberty under the Due Process Clause gives them the full right to

engage in their conduct without intervention of the government (539 US 558, 2003). Cases like *Bowers* and *Lawrence* underscore the rights of gays and lesbians to engage in private, consensual, sexual conduct without the interference of the State in their behavior. Further, regardless of orientation, the State should allow individuals their right to privacy within their own homes, provided that it does not endanger the welfare of the general public. The same goes for the right of transgender individuals to use the restroom and other facilities of their preferred gender identity.

First and foremost, pre-existing research on the transgender community suggests that as of the 2016 election, feelings toward transgender individuals have been overwhelmingly negative due to Trump's anti-trans rhetoric. Trump's actions toward the LGBTQ+ community have been contrary to those of his inaugural speech in which he swore to protect the rights of those in the LGBTQ+ community. In consequence, many LGBTQ+ Americans feel threatened by the wave of anti-LGBT legislation that Trump is advocating for. With special interest groups lobbying for these policies, and the Republican Party controlling the Senate, these policies are likely put forth due to the lack of political force of the Democratic Party to prevent their success.

The Republican Party has often been linked to anti-LGBTQ policies, due to their conservative background; they are often touted as 'bible thumpers' for being pro-religion, anti-gay, and pro-life. Those who identify as Republican attend religious services more frequently, argue that marriage is between a man and a woman, and they believe that a woman should not have dominion over her own body regarding abortion, as a fetus constitutes an actual life, and the process of abortion is equivalent to taking a life. These views can be connected back to the discussion on cognitive engagement, where the ideas are objects, and these particular viewpoints are the evaluation of said objects.

The Democratic Party holds conflicting views with the Republican Party, in that they contend that marriage does not necessarily involve a man and a woman. Instead, they advocate for the separation of church and state. They hold the controversial viewpoint that a woman's body is her own, to do with as she so chooses, and that a fetus does not constitute an actual living being, so the act of abortion is just that, an abortion. Democratic legislators are collectively responsible for raising Congressional awareness on the policy area of trans rights. Regretfully, not all legislators believe that transgender issues require such scrutiny and should be left up to the States to decide how to best address the issue.

The next section of this paper will outline the hypotheses that have been constructed for the purposes of this research, regarding each of the independent variables. In narrowing the focus to the transgender community, not all demographic variables are applicable. This study uses region, religion, frequency of church attendance, contact theory, racial spillover, and political affiliation to determine which factors are most effective in determining attitudes towards transgender individuals. Each is critical to understanding the history of transgender rights and has been highly influential in determining what direction the future of transgender rights will take. The next section will also determine what controls are necessary for this study, in addition to which type of analyses would be best suited for the research. In conducting these analyses, the trend in attitudes towards transgender individuals should be easily recognized and understood. I expect the research to demonstrate carefully that attitudes towards transgender individuals are shaped by public opinion and elite cues.

HISTORY BEHIND POLICY

Transgender individuals have faced considerable odds in terms of what professions they are able to pursue, where they may live, where they may relieve themselves, how they may dress, walk, talk and act. Since the 1960s, identifying as transgender in America was not something many aspired to do, even though it was an eventually necessary course of action to take. The difficulty in doing so arose when many would apply for jobs, search for housing, and file to change their identities. Even something as simple as using the restroom becomes a painful interrogation to ensure that these individuals are who they claim to be when entering the facilities of their preferred gender. Many accused them of being child predators, as if laying claim to their identities meant somewhere that they would resort to violating young school-aged children when granted access to these facilities. The character attacks did not stop there-- the verbal and physical assaults followed these transgender individuals to their places of employment and their homes. Even walking along the sidewalk alone at night is daunting for these individuals, more so for trans* women than men.

Transgender women are often brutalized by men in instances where men fear violence against them by these transgender women. Known as the trans panic defense, these select few men will attack these women, anticipating that they will be violated by these women due to the simple fact that these women are perceived as men and not 'true women'. Those who are not secure in their identity feel the very real threat of someone else's identity when theirs is not solidified. As it happens, the woman does not have to identify as transgender but rather 'appear' as someone other than what society deems natural for her sex. In Italy, a woman was raped by two men, and the subsequent Court's original ruling that she appeared 'too masculine to be raped' allowed the men to be acquitted on all charges. The decision was later overturned in 2017, which many were hopeful would bring about changes in the legislation on sexual assault.

This is nothing new in the realm of frightening possibilities for those who identify as transgender. For both men and women, they face the dangers of being raped, losing their jobs, losing their homes, being robbed of their personal property, and being murdered by the dozens. Many advocacy groups since the sixties have banded together to protect the interests and livelihoods of these people. When people are able to see the bigger picture, they can come to an agreement about how to best tackle the problems faced by such a marginalized faction of society. Many are afraid of the unknown, and to them, transgender individuals represent the unknown in society. In order to mitigate the risk of violence against the transgender community, we must allow others in society to become well acquainted with the transgender community.

In other parts of the world, such as in places like Puerto Rico, a U.S. territory, murders of transgender individuals happen, but on a smaller scale. As recently as this year, a transgender woman by the name of Michelle Michellyn Ramos Vargas, who was studying to be a nurse at Ponce Paramedical College (Roberts, page 1, 2020). In 2020, according to the HRC, six of thirty non-related attacks on transgender and non-conforming individuals came from Puerto Rico (Roberts, page 1, 2020). Other countries have still higher rates of violence against transgender individuals than that of Puerto Rico. In many countries around the world, being anything other than cisgender or heterosexual is heavily frowned upon. In the United States, laws have been implemented to safeguard the security of all people, including that of the transgender community.

What's more alarming is that more than 32,000 hate crimes involving firearms occur every year (Stroebe, page 7, 2016). These are crimes perpetrated against the LGBTQ+ community and people of color. The Pulse massacre on June 12, 2016, was a prime example of a hate crime against the LGBTQ+ community, where lone gunman Omar Mateen walked in Pulse Nightclub in

Orlando, Florida at around two in the morning and opened fire on the clubgoers, killing 49 innocent civilians and wounding many more. These crimes are commonplace for transgender individuals, which emphasizes the importance of collecting data on the attitudes towards the transgender community. The purpose of accurately reporting this data could save hundreds of lives within the community.

Many of the attacks go unreported due to the victims' fears of repercussions against them, either by the perpetrator, or by law enforcement. Many of the attacks against women, especially transgender women, are disregarded because they aren't viewed as women but rather men in drag. The assumption made is that if they were victims of an attack, that they could have fought off the attacker using their presumed physical strength. This is a poor excuse to avoid addressing the real issue for transgender individuals. Transgender individuals do not feel safe even entering a restroom facility to relieve themselves, because they fear that others will try to harm them at their most vulnerable. This fear of being vulnerable prevents them from not only using restroom facilities, but oftentimes going out in public alone to perform basic tasks such as shopping for groceries.

By assessing attitudes towards transgender individuals, it will allow for an accurate picture of how the nation views this most marginalized community. In the same way as the legalization of same sex marriage took time and effort from both the public and political elites to advocate for, now the needle must shift and focus on the transgender community for complete equality. In monitoring the numbers closely of attacks against the transgender community, in addition to attitudes towards transgender individuals, legislators can focus on the communities most deeply affected and implement policy and rhetoric that benefits the transgender community in those areas.

Heightened security around places frequented by these individuals would aid in ensuring their safety, but it is up to the elites to find proper cause in doing that.

Notice that after a major event such as a mass shooting that security is typically heightened, but that after a while, daily life resumes its normal course. The problem is that everything goes back to normal for the majority of society, but not for the transgender community. This small subset of individuals has been fighting and dying for their basic rights since the sixties. These individuals deserve their rights and the recognition for their identity as anyone else would. Transgender youth and those in the Armed Forces are among the most at risk when considering the harmful rhetoric espoused by President Trump. This, when jointly paired with harmful Court decisions handed down by those in opposition to the transgender community, make for a hellish duo. It is fair to say that as of the current political climate, the future of LGBTQ+ rights are in jeopardy.

So far, the Courts have ruled on both the issue of appropriate restroom facilities and for which gender they apply, and the question of what a man or woman should wear and how they should appear in business settings. There are few pieces of legislation that specify a strict dress code as part of a federal code. Still, businesses are able to allocate a certain part of their business plan to the dress code of their employees. This type of narrow-minded thinking about how people dress versus how well they perform their job based on a singular glance over is unethical.

Landmark decisions play a pivotal role in shaping roughly the next indeterminate number of years depending on what each court case pertains to. Some of those decisions are pivotal, such as those that end up setting the bar high for equality in the same way that *Roe v. Wade*, that which set the tone for the future of abortion cases. The fact that a woman has free agency over her own

body is relevant in that it assumes a woman is capable of caring for herself dutifully, without need for a male present. Other cases before the Court had to do with less related matters but were just as important to the future of the Courts as well as to the American people.

CHAPTER THREE: THEORY

There are various overlapping theories in social science literature that explain attitudes towards transgender individuals. First and foremost is contact theory, which pre-supposes that attitudes are formed based on the relationships that individuals form between each other which predisposes them to have favorable ratings of them as a separate group identity. For example, those who have friends and family are more likely to rate lesbians and gay men favorably depending on the frequency of their contact with lesbians and gay men. Contact theory also posits that the type of connection affects their attitudes towards lesbians and gay men. Such that if an individual had an acquaintance who were gay or lesbian-identifying, compared to a close friend or family member. Racial spillover is a second theory, which argues that racialization shaped attitudes on public policy issues like same-sex marriage, gun control, immigration and the like. Racialization shaped later movements like that of Black Lives Matter, when, backed by then-President Barack Obama acknowledged the rising rates of police brutality by White officers to African Americans. Other theories in different disciplines of social science research are those of Michelson and Harrison, Hetherington, Tesler and Zaller. I will start by describing each theory and its implications in detail and then point out some key differences across the theories altogether. I will also mention the drawbacks of each theory. The first set of theories are those by Michelson and Harrison, such as the theory of identity reassurance, of emotion and moral elevation, and of fear or discomfort. Following, I will outline my own theory and discuss how my theory proceeds with a more eclectic approach. Afterwards, I will discuss how my theory builds upon the existing research on LGBTQ+ politics, and what its key contributions to social science research are. It is my hope that in comparing each of these theories to one another, that the significance of my theory will become crystalline.

Michelson and Harrison's theory of identity reassurance focuses on disarming negative attitudes of people who are reluctant to accept the LGBTQ+ community, by demonstrating that this group of individuals poses no inherent harm to them. This allows those who are not LGBTQ+ to become familiar with those who are and creates a positive association between them and the LGBTQ+ individual. Creating positive associations between those who are gay and lesbian reaffirms the strength of the bond when interchanged with someone who is transgender and someone who is not. This is a plausible explanation for the varying attitudes towards transgender individuals in that it clearly illustrates how dynamic relationships are among community members and among allies within and outside of the LGBTQ+ community. Relationships within the LGBTQ+ community can also be tenuous when one of the larger factions in the community do not get along with another. Yes, even between members of the same community there is hatred and prejudice. It is not as commonplace, but it does take place enough times to warrant mention of the instances that take place between all different identities within the community.

Transgender individuals are among the most at-risk individuals for both ingroup and outgroup violence. In addition to being brutalized by those who do not agree with an individual who identifies as transgender, gay hate crimes occur as well, due to disagreements and strife between inner circles. If the LGBTQ+ community existed in one circle, and the rest of the world existed in other smaller circles, then the overlap one would see is markedly massive. The LGBTQ+ community is entangled with other racial, ethnic and gender minorities than just the members of the community. It is rare to examine the experience of a transgender individual and come across an entirely free existence, free of judgment, strife and violence against them for being themselves.

The theories espoused by Michelson and Harrison are that of emotions and moral elevation, and that of fear and discomfort. Moral elevation focuses on good-deed-doing in the way of helping out one's neighbors in times of need, i.e., rescuing a cat from a tree, helping firefighters aid injured people in the event of a fire, or donating plasma to save a life. These actions speak to emotions and moral elevation. In their theory, this kind of emotional response would motivate an individual to help the LGBTQ+ community if they were privy to doing a good deed or incentivized by others knowing about their actions in some way. Michelson and Harrison argue that this kind of approach is suitable for addressing social justice issues like same-sex marriage or racial equality.

On another hand, fear and discomfort mobilize people to be reactive rather than proactive in defense of their own personal safety and security. This fear of the unknown triggers these individuals to protect their lives and livelihoods from intrusion by those they may deem 'outsiders'. One film that comes to mind which parallels the need for society to understand outsiders and the perception of threat that cultures unknown to most might elicit defensive behavior when integration is initially attempted is the shockingly grim and twisted film, "US", written and directed by Jordan Peele. In this film, a family is chased down and hunted by clones of themselves raised in an underground world where the people who inhabit this world are devoid of happiness and controlled by the people who live above; it gives new meaning to who the outsiders of the world truly are and reaffirms the belief that if we want society to be better, we have to confront our fears of the unknown.

Speaking of racial minorities, author Marc Hetherington has developed his own theory to explain attitudes towards social justice issues like that of the gender-neutral bathroom bill, by looking at attitudes towards same sex marriage and gay rights. Hetherington calls his theory the

‘authoritarian personality’ theory and states that the authoritarian disposition signals that people have a greater need for order (Hetherington, Loc 137, 2009). Doing so in this case would mean supporting the system that many of us trust to uphold and defend our Constitutional rights. Authoritarianism is best served when applied to issues like same-sex marriage, gun control reform, healthcare, and other public policy issues. The strength of his theory is that it is steeped in research and grounded in the extant literature.

Another theorist famous for his work in social science is Tesler, who coined the racialization hypothesis, a post-Obama era theory that focused on racialized medium influencing public opinion on issues of race, such as immigration and American trade. Donald J. Trump evoked the opposite set of feelings when he took office in 2016, by engendering white supremacy and bigotry against minorities. What these theories reinforce is the multitude of outlets that attitudes towards the LGBTQ+ community can derive from. When competing ideas meet at the highest echelons of power in our nation, a deal must be struck on how to address the issue publicly in service of a public need for redress of grievances. Many issues reach the Supreme Court level because they warrant being examined by the highest court in the land.

As discussed, racial resentment is predicated on the emotion of anger and is centered on attitudes that emphasize Blacks’ lack of commitment to traditional American values (Tesler, page 15, 2016). Author Michael Tesler writes in depth about the racial overtones during the Obama era with former President Barack Obama being the first African American President of the United States. The emergence of the first African American leader of the nation brought about many racially charged issues that were not getting enough airtime in previous Administrations. Additionally, mass politics were more racialized due to Barack Obama’s presidency. The interesting notion about race during a Trump Presidency is that much of the policy seen coming

from the White House has racist implications for the bulk of racial minorities throughout America. Over the course of his four-year term, Trump has attempted to reverse many of the Obama era policies that were put in place to secure and ensure safety for both racial and gendered minorities.

The issue of the gender-neutral bathroom bill spans age, education and income gaps because the transgender community, though small in population, spans all three of these arenas. Transgender individuals are not a one-size-fits-all community and should not be treated as such. The regressions that have been conducted are largely demonstrative of the ever-changing attitudes towards the transgender community with regards to what little is known about them. In my opinion, the objective of this thesis is to educate and inform the masses that are unaware of the life experiences of a transgender person, what their experiences are like, and how to improve them. Hopefully, this will aid others in discovering that there is not much that separates them from someone who is transgender and trying to fit in. At some point or another, everyone has struggled with a facet of their identity that they have trouble accepting. Relating to transgender individuals allows others to realize that these people who identify in such a way as to traverse the lines between gender and sexuality are nothing to be afraid of. If the masses are relying on elite cues to tell them what is known about this small subset of the population, rather than investigating the truth of the matter for themselves, they will be waiting a while for an accurate, honest representation of the community. My goal is to provide readers with a true 'North' with which they can determine their own feelings towards transgender individuals, and better determine how they can be of assistance to ensuring that they receive complete equality under the law.

Having discussed how both Michelson-Harrison and Tesler determine relationships between racial and gendered minorities and the bulk of society, and the drawbacks and

advantages to each theory, it is appropriate to move onto the next theorist whose approach is instrumental to social science research. Zaller's theory states that political awareness is based on general chronic awareness that the respondent has to the particular social issue. Earlier, social issues such as same-sex marriage, gun control, abortion rights, and others were discussed in relation to the theorist and their theory. Each individual's purview of the varying social issues and their feelings on each topic would be the basis for a theory such as Zaller's. In this regard, attitudes towards gay rights would be a perfect candidate for an experiment on attitudes on social issues similar to gay rights and any public policies related to gay rights. Transgender rights fit neatly into this category because the opposition that transgender rights faces is in direct result of authoritarianism.

Hetherington's theory of the authoritarian personality states the need for order because threat activates authoritarianism. Moving away from transgender rights for a moment to look at an issue central to the authoritarian brain- gun control. Authoritarians believe in a need for order in the system. The right to bear arms would align with the authoritarian personality because it promotes the need for order. Similarly related social issues that support the authoritarian mindset of safety and security are located in this category. Opinions converge on issues in which preferences are structured by authoritarianism (Hetherington, Loc 137, 2009). These preferences that are structured by authoritarianism could exist for a multitude of policy issues.

Hetherington's theory of authoritarianism is spectacularly sound, and all of the tenets support the research group that I am attempting to study which is the attitudes of those who are not transgendered towards those who are. Authoritarians prefer concepts that reinforce their need for protection against the 'outsiders'. Events like September 11th would support this theory as well. In comparison to Michelson and Harrison's theory that fear and discomfort encourages

people to act rashly towards those that are unknown to them and treat them as parasitic to your health and well-being, Hetherington's theory is not pathos-based, which is a different approach, but still effective at being able to address the issue of transgender rights and the gender-neutral bathroom bill. The theory of authoritarianism would be better suited for the issue of transgender rights if the presence of transgender individuals evoked some need for order in society. I presume that the most contemporary issue of police brutality and the Black Lives Matter Movement would evoke the need for order and in essence, signal Hetherington's theory. Contrasting with Tesler's theory, on the issue of racialization, is that elites cue the need for order, stability, or strength based on what is seen, and the public responds to this need. What Zaller could learn from Tesler argues is that the elites influence the attitudes of the people by the public policy they implement, and that Zaller's theory of political awareness charges the individual with being responsible for the decisions at the top by being politically unaware.

My theory argues that political awareness is first and foremost a learned process, and then a result of social behavior. It supports the notion that elites are charged with responding to the American public when a tragedy or need for order arises. However, it also argues that racialization is taught to those at the top when they are at the bottom so that when the need for order arises, racialization and authoritarianism go hand-in-hand. Both race and gender are characteristics of an identity and yet, a social issue. Politicians discuss race when referring to culture wars, same-sex marriage, or other concepts that may spark a controversy amongst themselves. In the case of attitudes towards gay rights, my theory argues that gay rights for some might evoke a need for order because of authoritarianism, thus eliciting the American people to petition legislators to respond. Gay rights might also evoke an emotional response in favor of the

right of same sex couples to marry, whereas fear or discomfort around transgender individuals might incite an authoritarian or negative response to transgender individuals.

This theory is much less focused on what it will be called as a finished product, and more about its contents. To its credit, it has the basic tenets of attitudes and social issues research necessary to study attitudes toward transgender individuals or, even more so, the gender-neutral bathroom bill. Created in North Carolina, the gender-neutral bathroom bill forced individuals who identified as transgender to enter the facility of the gender they no longer associated with. It is unethical to cause undue distress to another individual's mental or physical state of well-being. This threat to an individual's well-being could cause authoritarian values to surface. I do not disagree with Michelson and Harrison's entire theory that fear and discomfort give way to mobilizing people around certain social issues. I contend that transgender individuals are emotional beings and therefore only an appeal to emotions in the form of moral elevation can sustain as a possible solution to the problem of adverse opinions on transgender rights. If a gender-neutral bathroom bill is the solution in every state to those with an aversion to transgender individuals, which precipitates out of fear of the unknown, and every American citizen supports this notion of securing the nation from threats, then the theory that Michelson and Harrison espouse is shaky because not every single person is controlled by their sense of pathos, but rather they are ruled by a mix of logos, ethos and pathos.

While transgender rights issues are not necessarily a matter of national security, the way that lawmakers respond to North Carolina and the bathroom bill is highly transformative and indicative of their support of authoritarianism or not. The importance of this section is to provide context to why transgender rights are so incredibly important to the public policy landscape of the nation. Leaders must look to their citizens for cues on how to address social issues and then

by way of democratic representation, choose how to respond to the needs of the American people. Referring to previously decided social issues like same-sex marriage, President Obama took cues from the American people and worked to legalize the right to marry for all gay and lesbian couples. This was a pivotal decision for the Obama Administration in the way of securing equality and the freedoms of the American people.

The focus on the transgender community in this work should aid in illuminating the difficulties faced by the transgender community in their daily lives, such as using public restroom facilities or being addressed by the proper preferred pronouns. For example, my preferred pronouns are she, her and hers. Another person may elect to use masculine pronouns, a clear identification as to which gender, they have chosen to present as. The significance of personal pronouns to identity is that they allow the rest of society to comfortably transition to a place of acceptance and understanding towards transgender individuals, or those who are more gender fluid in nature. More information on gender fluidity can be found in author Judith Butler's book, *Gender Outlaw*. As a trans woman herself, Butler outlines the unique experience of being a transgender woman in a man's world. In *Gender Outlaw*, Butler chronicles her life before and after her transition, including how those around her treated her in the absence of her purported 'male privilege'. Butler explains how she never associated herself with male privilege until she had undergone sexual reassignment surgery.

Similar experiences have been noted by authors like J. Jack Halberstam, who discusses how her gender fluidity affects her relationship to those closest to her and those not so close in relation. She affectionately labels herself a 'girl-boy' to make it easier to explain to her niece and nephew how her masculine appearance and feminine pronouns can coexist in the same space without the need to reconcile either identity or sexual orientation. Masculine appearing women are

women for all intents and purposes, the same as effeminate men are men for those very reasons. In *Gaga Feminism*, Halberstam writes on the influences of Andy Warhol and Lady Gaga to explain how popular culture created a whole new wave of identities for those who rebuked the idea of conformity. Although Halberstam never underwent reconstructive surgery to become an entirely different gender, their experiences share a common thread of a need for acceptance by the general populace, which ties back into the original purpose of this work-- to demonstrate a need for transgender individuals to feel safe in both the public and private spheres, and live free of persecution for being themselves.

In the next section, I will discuss the current state of the North Carolinian statute known as the Public Facilities Privacy and Security Act, or HB2, a discriminatory piece of legislation aimed at tackling the issue of a gender-neutral restroom facility for transgender individuals (Journell, page 339, 2017). The stipulation with the creation of a facility that enables these individuals who identify as transgender is that their identity be broadcast publicly, thereby enabling these individuals to feel shamed for basic human functions such as relieving oneself in a public restroom. Other states have looked to North Carolina for how to address this issue within their own state legislatures. Authoritarianism should require of us the need to protect these individuals, per Hetherington's theory, and in doing so, satisfy the current need for order. Michelson and Harrison's theory would have us taking the emotion-based approach to appeal to everyone that transgender individuals pose no threat by using the restroom facility of their preferred gender. Tesler would argue that racialization would fit this social issue well if the reason for their discrimination was race-based, not orientation based. Zaller, whose theory is predicated on political awareness, blames elites for the recourse faced by transgender individuals.

CHAPTER FOUR: NORTH CAROLINA AND HB 2

The bathroom bill, known as HB 2, was created in North Carolina out of a necessity to address the changing landscape of transgender individuals working in commonplaces like schools, locker rooms, public restrooms or areas where young children might be prevalent. This poses harm to transgender individuals, if they ever hope to or seek out complete equity under the law. However, this is to say that that uphill battle has not yet begun, and transgender communities all across the United States have been fighting for their rights long before North Carolina state legislature implemented this discriminatory piece of legislation. There are several cases in point that cite *HB 2* as the precedent for their decision. In fact, these cases often pertain to incidents in schools where a student was reprimanded for using the restroom of their preferred gender, instead of redirecting the young individual to use a separate bathroom altogether, or simply allowing the individual to relieve themselves in a space where they are most comfortable. The act of using a restroom facility often puts some people at an advantage to others, due to the discomfort of having to stand or sit a few feet away from another person, separated by a small divider, in fear that you would be vulnerable to attack.

Transgender individuals in every state and region of the country are victimized and brutalized every day, at horrifying numbers. The lack of knowledge about the transgender community, from members inside of and outside of the LGBTQ+ community. Crimes do not always result from a member of the ingroup attacking the outgroup. In this case, the ingroup would be someone who identifies as transgender, where the outgroup member is an individual who may or may not be familiar with transgenderism or the LGBTQ+ community. These crimes whereupon a transgender individual is attacked and beaten to death (as in most cases,

transgender individuals are often the victims of hate crimes), happen most often due to society's lack of awareness for the transgender community. When surveyed through the 2016 American National Election Survey, the survey contains a battery of questions concerning how the respondent would rate transgender individuals, whether that individual has had contact with someone in that community, or whether they would support the bathroom bill in each state.

Transgender individuals are misunderstood because of the overlap of their community with gender and culture. Culturally, there have been negative connotations placed on individuals who fit neither end of the gender pool. The term 'tranny' originally came to mean someone who perverted gender norms and roles. It was an offensive colloquial term to many within the community, as those within simply scrambled to keep their community together and to live in safety without fear of becoming another statistic. Transgender individuals would masquerade as drag queens and kings until they felt comfortable 'coming out' as their truest selves. On the other hand, many members of the LGBTQ+ community would also dress up in costumes and take on alternate personas to express themselves more boldly, outwardly. Transgender Day of Remembrance allows the community to come together and celebrate the lives of those who were senselessly murdered. Each year, the death toll rises for transgender individuals, oftentimes while they are struggling to transition to their preferred gender or reintroducing themselves to society all over again.

For some, addressing their sexuality publicly is a lengthy process, involved with informing your closest family members or trusted confidantes about the identity or orientation change. There is a period of adjustment in which some family members may be hesitant to accept the individual as they are. For each and every single person in the LGBTQ+ community, there is a different, uplifting or heartbreaking story attached to this phenomenon of 'coming out'.

Among the various revolutionary ideas for those in the community is this particular event in time for each gay, lesbian, bisexual, transgender or queer person. Tying it back to the '60s where being gay was a taboo topic in any household, LGBTQ+ individuals would have been and indeed were persecuted in many other cultures and countries across the globe. For those in areas where announcing something so personal and intimate is considered salacious, many are forced to hide this important part of themselves away, so as to only let their most valued allies in on the secret. The North Carolina bathroom bill rips the veil of secrecy away from these individuals and forces them out into the spotlight, to either be praised or ridiculed.

The significance of this bathroom bill cannot be understated. If successful, other states could reverse previous Court decisions that enable protections for LGBT+ individuals, such as the right to be recognized on official documents as their preferred gender, the right to marry whomever they love, the right to serve in the Armed Forces, and the right to adopt and maintain legal guardianship over a child. This may seem like overstretching the bandwidth and ramifications of the passage of HB 2, given what little weight a bathroom bill itself may have. Suppose that for a second laws could dictate where a person could relieve themselves in regard to facilities, then a person's right to identity could be called into question. If a "man" calls himself a man and uses the male restroom facilities, then is that man believed to be a man *prima facie*? Are legal documents required each time a man or woman uses these facilities? If so, are they required for entry into all similar facilities? These questions harken back to when same-sex marriage was a contentious topic at the Supreme Court yet challenged federally.

Same-sex marriage, legalized in the United States in June 2015, afforded same-sex couples the right to marry and obtain legally binding documents of their marital union, to be recognized in all 50 states and US territories. While same-sex marriage was lauded nationwide,

many state leaders fought to keep their state laws and religious values in unison with one another. All over, many leaders were refusing and turning away couples who wanted to tie the knot, stating that the act of gay marriage was sacrilegious. Many religious institutions would not cater to these individuals seeking support and acceptance. In the way of institutions that would not cater to gay and lesbian individuals, are bakeries and wedding catering companies. While these individuals were not transgender, and the issue was not which facility they might use to relieve themselves, the issue was a little more complex in nature involving marital rights, prenuptials, benefits, and the like. The idea that transgender individuals should reasonably be allowed a facility where they can safely go to relieve themselves or change their attire seems elementary to me. It is as if public policy such as that of HB2 was written for exclusionary purposes, to relinquish control of one portion of the population to the other that decides what these individuals' rights are.

Due to the negative consequences of policies like HB 2 and others like it, transgender individuals face grave risks to their public safety and health every day. These individuals are unable to receive adequate medical care from even simplified walk-in clinics around the country. There is a painstaking process of applying for hormone therapy, potentially being denied coverage or access to medicines, and finally receiving the necessary supplements to begin one's transition from one identity to another. The meaning of identity in this case is a very fluid state of being. For example, a woman seeking to become a man must administer testosterone to themselves on a daily basis for an indeterminate amount of time. This will allow the individual to change their appearance gradually and slightly over time, rather than all at once as no immediate solution has been proposed either surgically or otherwise. This is also not suggestive of these individuals feeling forced to execute these processes in fear of violence against them. These

individuals face the risk regardless of their seamless transition from male to female, or vice versa.

CHAPTER FIVE: HYPOTHESES

The main thrust of this paper is that attitudes towards transgender individuals are shaped by public opinion and elite cues, which trickle down to the general public and influence which way they will vote on policy issues like the gender-neutral bathroom bill. Contrastively, though, elites will take into consideration the opinions of special interest groups who are willing to contribute financially to their campaign. Seldom do politicians ignore the whims of special interest groups when passing laws or amendments to the Constitution. Anyway, citizen backed initiatives face greater resistance at the top tier of politics than anywhere else. During the Trump presidency, Congress has had difficulty enacting protections for the transgender community due to the Republican-controlled Senate and Senate Majority Leader Mitch McConnell blocking any legislative initiatives backed by the Democratic Party. Trump has followed suit by refusing to allow transgender individuals to serve in the military, a key example of the dangerous and discriminatory actions of President Trump to limit transgender Americans' ability to live freely as their most authentic selves.

While the research question stands firm as an evaluation of the causation of attitudes towards transgender individuals, pre-existing research on the topic is mixed. A multitude of factors contribute to the overall perception of the transgender community by the American public, such as where a person lives, whether and which religion they practice, how often they attend religious services, whether the individual knows someone who identifies as transgender within their immediate social circle, whether there is a spillover of attitudes from previous minority groups, and to which party the individual evaluating those in the transgender community belongs. Controlling for each via a regression analysis will allow for isolation of variables to see which

hold greater weight in determining changing attitudes towards transgender individuals in the United States.

I argue that religiosity and region will be two of the most important factors to look at when examining attitudes towards transgender individuals, in that those in the South will be more likely to attend religious services as the Bible Belt is located in the South, and rule generally follows that the Bible Belt is the religious hotbed of the United States. Conservatism is common for this region, where many individuals hold steadfast to their religious beliefs. Those who believe in the word of God will be more likely to hold negative views of those who identify as transgender, out of the predisposition that freedom of sexual orientation is not what God intended.

The first hypothesis centers on where people live, predominantly regionally, rather than state-wise. Although state policies differ from state to state on how they address the gender-neutral bathroom bill, states in the South are historically anti-transgender. Hence, these states have put policies in place that are harmful towards the transgender community. One key example, North Carolina instituted H.B. 2, a discriminatory piece of legislation that forces transgender individuals to use the bathroom of the gender listed on their birth certificate. Therefore, states like these are more than likely to reject any piece of legislation that advocates for the rights of transgender Americans. The first hypothesis reads as follows:

H1: I expect that people living in the South will be more likely to rate transgender individuals negatively than states not located in the South.

As a contingent of the American populace, those in the South are linked to conservative ideals, such that issues of social justice are anathema to their value system. The conservative South has been studied in terms of elections, polarization and public opinion regarding issues like

abortion and gun rights for quite some time. Regarding issues in a similar vein, the South has also been linked to viewing the LGBTQ+ community in a negative light due in part to their ties to religiosity, due in part to the policies that derive from Southern politics. Separating religion, in particular, Christianity, from the South, seems to be an impossible task.

Next, the second hypothesis focuses on whether people attend religious services frequently and how frequently they attend them. Following that, the frequency of attendance to religious services serves as a semi-consistent indicator of voting behavior. In and of itself, the frequency by which an individual visits church, temple or any other religious establishment, is often tied to religiosity and ideology. Even more so, their attendance is determinative of whether or not they will be predisposed to rate racial and gendered minority groups like the transgender community positively. The second and third hypotheses are as follows:

H2: I expect individuals who attend religious services frequently will be more likely to rate transgender individuals negatively than those who rarely or do not attend services.

My theory argues that those in the South are more likely to be exposed to conservatism, per the discussion of the South and its proclivity to be a ‘Conservative hotspot’. The belief in religious sacrament and the word of God mobilizes individuals to attend religious services frequently, or to engage in acts of prayer and worship, or to donate money to religious organizations. The most definitive connection that can be drawn here is that those who are openly religious are biased against the LGBTQ+ community, as it goes against the values of God. Some denominations in Christianity are often held responsible for having anti-LGBTQ+ values, however, popular media has contributed to this misinformed consensus.

Third, attitudes towards the transgender community are shaped by the people who are closest to them. As contact theory would have it, contact with the ingroup, those who identify as gay, lesbian, or bisexual, promotes positive thinking about these individuals by those in the outgroup. The problem arises when studies shift their focus to a marginalized community not as populous as the others. The transgender community is comparably smaller in numbers and registering attitudes about transgender individuals is more difficult because fewer people are aware of whether they know or can visibly recognize someone who identifies as transgender. Due to the increase in attention paid to the transgender community via policies that affect them, more Americans are becoming aware of transgender individuals within their social circles. Though this is not a hypothesis, but rather a theory, those who have close contact with someone who identifies as transgender will be more likely to rate transgender individuals positively than someone who does not have contact with someone who identifies as transgender.

Fourth, racial spillover is the notion that attitudes shift from one minority group to another when tolerance and acceptance of the prior minority group reaches its peak. To say that intolerance dissipated for Blacks when gays and lesbians arrived onto the scene is to devalue the experience of African Americans. Racial resentment arose due to the negative views espoused by elites prior to Blacks gaining attention in the Martin Luther King era. Many Americans in the South expressed a dislike of Blacks due to the fact that they were increased competition for their jobs in factories and schools, even whilst they experienced a great deal of separation from other racial groups. During this time, segregation strengthened racist viewpoints that Blacks were the degenerates of society. Blacks were not allowed to use the same restrooms as Whites, nor were they allowed to sit in the same sections as Whites on public transportation. Later, discrimination against Blacks and other racial minority groups merely shifted as awareness and recognition of these groups took

shape. It is a rather gradual process to teach others acceptance and tolerance of the ‘other’ in society. Progress requires constant effort by those who are marginalized in society, along with their allies, working tirelessly to implement policy that ensures their safety and security. In much the same way as the Civil Rights Movement liberated gays and lesbians from the metaphorical closets they hid in, the Emancipation Proclamation declared the end to slavery of Blacks by Whites. Tangentially speaking, this new era of ‘otherness’ brought about by the emergence of the transgender community into the spotlight favors other minority groups. Hence, per this theory of racial spillover, I expect that those who do not identify as a racial minority will be more likely to rate transgender individuals negatively than those who do identify as a racial minority.

Fifth, when discussing minorities, it is important to not exclude gender from the discussion. Gender is of particular importance to the context of changing attitudes towards transgender individuals. Statistically speaking, women tend to rate members of the LGBTQ+ community more positively than men do, as in the case of the feeling thermometer produced by the American National Election Survey (ANES) to determine how individuals rate gays and lesbians. A separate feeling thermometer was constructed to measure how individuals rate transgender individuals. Despite this, both bisexuality and transgenderism are understudied concepts in LGBTQ+ politics. When constructing a hypothesis centered on the effects of gender on the rating of transgender individuals, it reads something like this:

H3: I expect that women will be more likely to rate transgender individuals positively than men.

Another variable that is included in this study is marital status. I posit that marital status will have a greater effect on issues relating to marriage or attitudes towards members of the LGBTQ+ community, as the community has fought to gain marriage rights for at least 50 years, since the Stonewall Riots in Greenwich Village, New York. To this day, local laws challenge the federally recognized institution of marriage between two individuals of the same sex. The perception of marriage by married persons is that entering into such a union is sacred and valuable, and that abortion is viewed by some as murder (Fiorina, page 35, 2005).

H4: I expect that individuals who are married will be less likely to support the gender-neutral bathroom bill than individuals who are not married.

Perhaps, an individual's sense of belonging to either the Republican or Democratic Party determines not just voting behavior, but how people ascribe to the platform and political views of their political party. Each political party has its own tenets and what it represents. In what is known as a party platform, these are the beliefs that are espoused by each political party and are ingrained into the parties themselves. Therefore, those that register with each political party are expected to align their own personal views with those of their political party. Assuming that people are not mindless sheep for a second, some fall within the middle of the two parties as centrists. Rather than side with one party over the other on all issues, ideological moderates can hold differing opinions on issues from both sides and coexist peacefully with both Democrats and Republicans. In looking at social issues like same-sex marriage, abortion rights, gun control, healthcare, or immigration, it is evident on which side of the issues the Democratic and Republican parties have placed themselves.

In this thesis, the issue at hand is transgender rights, specifically the gender-neutral bathroom bill. Republicans have argued against allowing transgender individuals to use the

facilities of their preferred gender, rather than that which is listed on their birth certificate on the grounds that allowing them to do so would endanger the youth of America in schools all across the country. The premise behind this obstruction is that cisgender men would dress the part of a transgender woman to gain access to a young girls' restroom facility to harm them. Republicans also contend that transgenderism is a perversion of gender, and that if unfettered access is granted to transgender individuals in restroom facilities, that locker rooms and other private facilities could be next. They propose that transgender individuals be denied access until they can prove that they have undergone gender reassignment surgery, or that they seek relief elsewhere, if uncomfortable.

Such is the dilemma facing the transgender community that they are forced into hiding for fear of being targeted, ridiculed in public when they are visibly attempting to live their lives as authentically as they can, and forced to adhere to policies that are unfairly and unjustly created to demean their existence as less than human. Lastly, the final hypothesis of this expansive piece of literature is as follows:

H5: I expect that Democrats will be more likely to rate transgender individuals positively than Republicans.

Finally, these hypotheses should demonstrate that changing attitudes towards the transgender community are a gradual process, and that they are dependent upon these factors, along with elite cues and public opinion. The drawback to measuring public opinion on policies that affect the transgender community is that data on trans rights issues are minimal. Within the last five to seven years, the American National Election Survey has seen fit to include questions on transgender individuals to gauge the public's perception of the community, including questions on the transgender bathroom bill. Ideally, it would be easier if a more accurate number of

Americans who identify as transgender could be counted in a census, so as to be sure of the percentage of Americans who are transgender, compared to the number of Americans who knowingly have loved ones who identify as transgender. The unfortunate nature of being a member of the LGBTQ+ community is that ‘coming out’ is a process in itself, thereby creating a discrepancy in census numbers. As stated previously, fear is both a catalyst for transphobia, as well as a reason that many transgender Americans have yet to make themselves known to those closest to them.

The following section will include the results from various multiple regression analyses, detailing the impact of each independent variable on the dependent variable. Taking into consideration that gender is a key component of transgender identity, I will control for gender in the regression analyses, as it distracts from the central goal of my research, which is to measure changing attitudes towards the transgender community, as well as what are the driving forces behind these attitudinal shifts. Following that, I will include tables of each regression, with detailed notes about how each variable contributes to the change in attitudes towards transgender individuals.

CHAPTER SIX: METHODOLOGY

The dependent variable in this study is changing attitudes toward transgender individuals, which is measured using the variable *transpolicy_restrm*, which asks the following question: “Should transgender people have to use the bathrooms of the gender they were born as, or should they be allowed to use the bathrooms of their identified gender?” Listed in the American National Election Survey Codebook (ANES) 2016 dataset as *VI61228*, the transgender bathroom policy is coded as a dichotomous variable- labeled one for they should use the bathrooms of the gender they were born as, or two, they should use the bathroom of their identified gender. Further, respondents who answered that they were unsure, or respondents who refused to answer, were coded as missing data. Other similar variables asked respondents how strongly they felt about transgender individuals sharing or not sharing a restroom with them, in the event that the respondent was unsure or refused to answer.

Published after the 2016 election, the ANES Codebook contains a slew of variables regarding gays and lesbians, but fewer regarding transgender individuals. The Codebook has been utilized more often than not to conduct quantitative research on the gay and lesbian community, gauging how the general public feels about policy issues from same-sex marriage to gays and lesbians serving openly in the military. Upon conducting an in-text search for variables containing the word *transgender*, the variable list yields only one variable, *VI61228x*, or *trans_bathroom*, a summary statistic for respondents’ opinions on the transgender bathroom policy. The field of LGBTQ+ politics is limited in scope when collecting observations on the transgender community, as there is a smaller contingent of transgender individuals, compared to gay and lesbian-identifying individuals.

The independent variables used in this thesis are region, religion, frequency of attendance to religious services and ideology. Then, the variable region requires a recode into a dichotomous North-South variable. Religiosity, labeled as *Relig_attend*, measured in frequency of attendance to religious services, details whether respondents attend several times a week, once a week or not at all. Ideology, also a nominal variable, labeled *partyid3*, measures the political party affiliation of the respondent via a three-point scale. Ideology is similar, in that it refers to a person's political views being liberal or conservative. Most Americans know which side of the ideological scale they would place themselves on.

In addition to sex, demographic variables include race, age, education and income. Race is defined as the person's geographic ethnic background, such as White, Black or Hispanic. Age is a categorical variable that ranges from 0 to 100 in increases of one unit per one unit of the variable. Sex is the gender of the respondent, either male or female. Education is the respondent's level of education attained, such as post-secondary schooling in the form of a Master's degree. Income, again, is an interval-level variable that ranges from 0 to 100, in increments of one. These variables are commonplace to any kind of quantitative analysis. I chose to focus on gender for the purposes of my research as my research is more identity based than it is demographic based. Upon further examination, it appears that these variables may impact how a person views a transgender individual. One example of race impacting the way that a respondent rates a transgender individual could come in the form of racial animus, where a Caucasian or Mexican American may appear colder towards a transgender individual, due to cultural predispositions, such as whether their race condemns or accepts the presence of the transgender community. In that same vein, younger individuals appear to be more accepting of the other in society, and tend to rate transgender individuals more positively, compared to their older cohorts. In several studies of various college

campuses across the United States, many colleges have been lauded for their open and diverse student bodies. For example, college campuses like the University of Central Florida have one of the most diverse student populaces in the state. Speaking of education, it has been proven that higher education promotes open-mindedness and positive thinking about one's community.

Furthermore, sex plays a role in how transgender individuals are viewed by the majority of society. Those that identify as biological females are more likely to approve of transgender individuals, due to the notion that biological men feel threatened by transgender women due to toxic masculinity and its influence on perceptions of toughness and what masculinity should look like. Playing into age-old stereotypes of women, whose income at the time of the emergence of the transgender community were less than their male counterparts, those who have a smaller income tend to align more Liberal and favor transgender individuals as well as the policies created to support them.

The next section of this thesis will contain extensive information on conducting proper regression analyses, why a regression is the most successful avenue to pursue when conducting research on the LGBTQ+ community, in depth information about each variable, any results the analyses may yield, and what those mean for the landscape of LGBTQ+ politics and policies. The data and analyses section of this thesis should exemplify the necessity to conduct this type of research, as the base of knowledge upon which transgender politics rests is particularly limited. In doing so, the analyses should show that there is an existing threat to the welfare of transgender individuals in the United States. In essence, the research should demonstrate the implications of restricting transgender individuals' rights and the need for policy reform at the highest tiers of leadership in our nation. Policy reform occurs at the top, and then trickles down to the lowest

offices in our country. Elite cues shape our country via implementing policies that they believe will promote the welfare of the general public, regardless of the minority groups they may offend in doing so. Elites are influenced by special interest groups who are willing to line the pockets of their leaders to advance policy that helps them achieve their goals. That, or elites are self-interested individuals who wish to ensure their reelection by following the advice given to them via campaign donations in exchange for political favors. It remains to be seen which one has influenced the Trump administration more- the self-interest of the executive, or the financial contributions of special interest groups. One thing is certain, though—Trump has acted contrary to his inaugural speech in 2016 at every turn, and for that, the transgender community has paid the ultimate price in losing their freedoms and security.

CHAPTER SEVEN: DATA AND ANALYSES

VARIABLES

Examining the relationship between the dependent variable for the gender-neutral bathroom bill, I have reverse coded the dependent variable as a dichotomous variable, where 1 equals the response that transgender individuals should use the bathroom of their preferred gender, and 0 equals the response that transgender individuals should use the bathroom of the gender listed on their birth certificate. Again, 1 is the position that expresses tolerance of transgender individuals, where 0 is the position opposed to transgender rights. Region is collapsed and coded as a South-non-South variable, where 1 equals South and 0 is all other regions. Accordingly, the ANES defines the South as the 11 states of the Confederacy.

Education has been collapsed and recoded as a college-noncollege variable to demonstrate that those with a college education are more likely to support transgender individuals. Additionally, income has been divided evenly and coded as incomes above 50,000 (coded 1) and below 50,000 (coded 0). The reasoning behind coding the variable like this, rather than as a continuous variable, is that it demonstrates that, through the statistical significance of income on each of the dependent variables, those with a higher income are less likely to support transgender individuals, thus affirming the income hypothesis. Although treating the variable as a continuous variable rather than a dichotomous variable would increase variation, treating the variable as a continuous variable produces larger predicted probabilities than if it were done dichotomously. Therefore, I decided to treat this variable as a dichotomous variable for the purpose of confirming the hypothesis that those with a higher income are more likely to support the gender-neutral bathroom bill.

Continuing the discussion of demographic variables are respondent age, race, frequency of attendance to religious services, whether the respondent has LGBTQ+ family or friends, whether they are married, their political party affiliation, ideology, authoritarianism and racial resentment. Two variables for race are included in this study, to demonstrate the impact that race has on attitudes towards transgender individuals. The variable for respondent race listed in the ANES has been collapsed and recoded to control for both Black and Hispanic race. Further, age has been collapsed into a dichotomous variable, those over 50 years of age and those under 50 years of age. Frequency of attendance to religious services has been dichotomized as well to account for those who frequently attend church and those who do not (1 and 0, respectively).

Since my theory revolves around perceptions of a specific group of individuals, studying whether or not individuals were in close contact with members of the LGBTQ+ community promotes the contact theory hypothesis that those with LGBTQ+ family and friends are more likely to support LGBTQ+ rights and initiatives. The ANES includes a variable on LGBTQ+ family and friends, for respondents who note that they do or do not have friends or family that identify as LGBTQ+. This variable has been dichotomized and recoded in my study to illustrate how having LGBTQ+ family and friends impacts the perception of transgender individuals and the gender-neutral bathroom bill. The variable contains two categories, 0 for respondent does not have LGBTQ+ family or friends, and 1 for respondent has LGBTQ+ family or friends.

I also included a variable for marital status, to test whether or not the respondent being married would have any bearing on their approval or disapproval of the gender-neutral bathroom bill. Marital status is coded 0 for not married, and 1 for married to show that the respondent's marital status effects attitudes on other similarly situated cultural issues, such as abortion or same-sex marriage, or whether gays should have the right to adopt. After marital status, I

included respondent political party affiliation, respondent ideology, authoritarianism, and racial resentment. In this particular study, political party affiliation, ideology, authoritarianism, and racial resentment were not recoded. Therefore, political party affiliation ranges from Strong Democrat (labeled 1) to Strong Republican (labeled 7). According to the data in the ANES, ideology is a seven-point scale as well, ranging from extreme liberal to extreme conservative (labeled 1 and 7, respectively). Authoritarianism, perhaps one of the more important variables in this study, is coded 0 to 6, ranging from self to authority, based on how the respondent answers the battery of questions.

First and foremost, the degree of liberalism or conservatism that an individual possesses can more often than not serve as a marker for issue preferences on key political issues such as same sex marriage, abortion, gun control, immigration, and in this case, transgender rights. The further away from liberalism a person moves, the less likely an individual will be to support same-sex marriage, abortion, gun control, immigration or transgender rights. The South is known for being a hotbed of social and fiscal conservatism. Known as the “Bible Belt”, many individuals in the South are self-proclaimed Republicans, not moderates, as some theorists would have us believe. More importantly, their liberal (or conservative) stance is indicative of their political party affiliation (Zaller, page 17, 2003). People choose the issues with which they feel connected and the position on each that they feel represents their opinion, and in doing so, align themselves with one party over another. The Democratic Party has been often labeled the party for social issues, as the leaders in the highest offices have taken legislators to task over many of the issues listed above.

As an independent variable, racial resentment measures attitudes towards a particular racial minority: Blacks. As I’ve mentioned earlier, racial resentment is an anti-minority attitude

that permeates various layers of society: race, income, education, and religion. If the respondent shows a higher degree of racial resentment, the individual will be less likely to support transgender individuals, as well as their freedom to use the restroom of the gender of their choice. As hypothesized, those who scored higher in racial resentment are less likely to support transgender individuals' using the bathroom of their preferred gender and thus are more likely to support a discriminatory piece of legislation as the gender-neutral bathroom bill created by North Carolina legislature. In moving on to the last three independent variables in my study, party identification, liberalism and conservatism, and authoritarianism, each of these variables performs as expected.

The feeling thermometer towards transgender individuals is an interval level variable, coded 0 to 100 to describe how a respondent would rate a transgender individual, coolly or warmly. While the knowledge base on transgender individuals is small but growing daily, the questions associated with the feeling thermometer do not focus on how much is known about transgender individuals but rather how the respondent perceives transgender individuals. The ANES includes a similar feeling thermometer for gays and lesbians, surveying the respondent on their attitudes towards gays and lesbians. The idea behind these feeling thermometers is to gauge a respondent's attitude toward a certain group of people. I included the feeling thermometer for transgender individuals to assess long term attitudes toward transgender individuals.

Same sex marriage is coded 0 for the less tolerant position, those who disapprove of same sex marriage, and 1 for the more tolerant position, 1 for those who approve of same sex marriage. While same sex marriage is still a relevant issue in today's media, much more is known about the right to marry for gays and lesbians than about the right of transgender individuals to use the bathroom of their preferred gender. By comparing the issue of the gender-

neutral bathroom bill to that of same sex marriage, I can compare and contrast the positive and negative effects of attitudes towards transgender individuals on each. With the next issue, drawing a clear comparison is a bit more difficult, but still possible.

A woman's right to an abortion is coded from least to most tolerant, on a scale of 0 to 4, with 0 being that abortion is never okay, and 4 being that abortion is always okay. Abortion has been a hot-button issue for quite some time and continues to be challenged at the local and federal levels. I included abortion to demonstrate that respondents will weigh in similarly on similarly situated social issues like gay rights, gun control and the like. In the next section, I will discuss the results of my various regressions, and determine whether individuals' attitudes change based on the issues presented to them.

RESULTS

The gender-neutral bathroom bill espoused by North Carolinian legislation states that transgender individuals should use the bathroom of the gender listed on their birth certificate, whereas each of the independent variables are in the expected direction for support of transgender individuals. Recently, newly elected President Joseph R. Biden enacted a reversal of the ban on transgender individuals serving openly in the military. This has far-reaching implications for not only trans rights, but also LGBTQ rights as Biden becomes the most LGBTQ+ and diversity inclusive President elected to the highest office in the nation. Those in the South are less likely to support transgender individuals using the bathroom of their preferred gender. According to the income hypothesis, those with a higher income are more likely to support the gender-neutral bathroom bill, which states that transgender individuals should not use the bathroom of their preferred gender. Income is positive, but not statistically significant, which signifies that those with a higher income are more likely to support the gender-neutral bathroom bill than those with a lower income. Being that the gender-neutral bathroom bill is written to suggest that transgender individuals should use the restroom facilities of the gender listed on their birth certificate, those who are in favor of the bill are less likely to show support for transgender individuals. Income in this case was not statistically significant, compared to education where those with a college degree or higher were more likely to support the notion that transgender individuals should use the bathroom of their preferred gender. Though the coding is in the expected direction, sometimes the strong correlation of these two variables often leads one to absorb the effects of the other.

Education has been coded to demonstrate a college-non college variable, so that those with a higher education are more likely to support transgender individuals using the restroom of their preferred gender. Contrarily, education is also not a statistically significant predictor of

attitudes towards the gender-neutral bathroom bill. It is possible that other variables like income are absorbing the effects of education, as the two are often interrelated variables. Regarding the frequency of attendance to religious services, those who attend religious services more frequently are less likely to support transgender individuals using the bathroom of their preferred gender. Regarding age, age is not a statistically significant predictor as to support or opposition for the gender-neutral bathroom bill. When treated as a continuous variable, age was not statistically significant in the case of support or opposition for the gender-neutral bathroom bill. Per the findings regarding age, those over 50 were less likely to support transgender individuals using the bathroom of their preferred gender. Perhaps the best explanation for this behavior is that these individuals believe that transgender individuals pose a threat to children and young adults in school, by pretending to be a gender not listed on their birth certificate to gain access to facilities where children may be (Levi and Redman, page 182, 2010).

Regarding race, African Americans are less likely to support transgender individuals using the bathroom of their preferred gender, due to their ties to cultural conservatism and religion. Historically speaking, African Americans tend to support the political party that favors their cultural and religious interests, which in most instances is often the Democratic Party (Tesler, pages 14-17, 2016). In this case, the variable for Hispanic race is not a statistically significant predictor of attitudes towards the gender-neutral bathroom bill. Those with LGBTQ+ family and friends are more likely to support the gender-neutral bathroom bill; however, the bathroom bill was written to discriminate against those who identify as transgender. Those with LGBTQ+ family and friends often support LGBTQ+ policies and rights, such as same sex marriage. Those who expressed a higher degree of racial resentment were less likely to support the gender-neutral bathroom bill, but they too were less likely to rate transgender individuals

warmly. The simplest explanation is that attitudes towards the gender-neutral bathroom bill were more racially charged and therefore more focused on race rather than sexuality. The Protestant work ethic asserts that Blacks are lazy and undeserving (Tesler, page 22, 2016). As predicted, Democrats were more likely to oppose the gender-neutral bathroom bill, while Republicans were more likely to support the gender-neutral bathroom bill. Authoritarianism also denotes greater support for the gender-neutral bathroom bill, a legislative measure that promotes conformity among transgender individuals. Per the race variable, as the respondent race moves away from Caucasian on both Black and Hispanic race scales, support for transgender individuals' using the restroom of their preferred gender declines. I argue that this occurs due to the religious and cultural conservatism displayed by each of these groups. Upon examining the race hypothesis, I find that both Black and Hispanic respondents are less likely to support transgender individuals and by extension, their rights.

According to the regression featuring the feeling thermometer for transgender individuals, those who are married are less likely to rate transgender individuals warmly. These individuals rate them thus due to the notion that transgender individuals are few and far between, so the lack of knowledge by these married individuals of the transgender community is less commonplace. They perceive transgender individuals as a threat to the idea of normalcy in everyday life. As to the regression analysis on same-sex marriage, those who are married are more likely to support same-sex marriage. Although these married respondents look upon transgender individuals unfavorably, they value the sacred institution of marriage so they are more likely to support others in their pursuit of marriage. Even so, those who are married are less likely to support issues like abortion at the ballot boxes because of their conservative position on childbirth (Fiorina, pages 34-42, 2005).

While examining the gender-neutral bathroom bill and its wording, I included the feeling thermometer for transgender individuals into my study to ensure that these attitudes towards the bathroom bill translated evenly to dislike or opposition to transgender individuals. I sought to measure respondent attitudes towards transgender individuals, rather than just the policies that affect them. The general assumption about those who support LGBTQ+ individuals is that they are readily supportive of LGBTQ+ policies, which is not always the case. Empirical studies have been conducted on this matter. For the sake of this research, delving into whether or not these individuals support gay marriage or the gender-neutral bathroom bill can best be explained by the logistic regressions discussed later.

I conducted the first OLS regression using the variable for attitudes towards transgender individuals, using the same independent variables as the other models. Table 3 demonstrates the results of the ordinary least squares regression using the variable for the feeling thermometer towards transgender individuals. Referring to the South-non-South regional variable, those who live in the South are less likely to rate transgender individuals warmly than those who do not. Taking into consideration that those in the South rate transgender individuals three points less warmly than those not located in the South, this difference is very minimal. By examining the dependent variable, I find that region is a statistically significant predictor of attitudes towards transgender individuals in that those in the South are less likely to support transgender individuals using the bathroom of their preferred gender. Those who attend religious services frequently are also less likely to rate transgender individuals warmly. Income does not predict attitudes towards transgender individuals in the way that it predicts support or opposition for the gender-neutral bathroom bill. Further research should concern itself with whether or not each of these variables mitigates the effect of the other.

The ANES includes a variable for attitudes towards transgender individuals, scaled 0 to 100 to determine the respondent's feelings toward individuals who identify as transgender. Those with a college education or higher are more likely to rate transgender individuals warmly than those who do not have a college education at all. As with those in the South, those with a college education also rate transgender individuals three points less warm than those without a college education. As respondent age increases, ratings for transgender individuals decline. The variable for age used in this equation is a continuous variable, rather than a dichotomous variable to show that those who are older are less likely to rate transgender individuals warmly. Those with LGBTQ family and friends are more likely to rate transgender individuals warmly than those who do not have any close associations with the LGBTQ+ community. Those with friends or family members who identify as LGBTQ are more likely to support transgender individuals, and largely transgender rights, like the right of these individuals to utilize the bathroom of their preferred gender. This is often exemplified through the culture war literature detailing same-sex marriage and the presence of allies to engender support for LGBTQ+ individuals.

Again, race acts as a wedge between individuals and their attitudes towards transgender individuals. Both race variables were statistically significant predictors of attitudes towards transgender individuals, when measured. Those who identify as Black are less likely to rate transgender individuals warmly, whereas those who identify as Hispanic were more likely to rate transgender individuals warmly. Notwithstanding religious or cultural issues, many African Americans align with the Democratic Party, due to their socioeconomic status, or other factors that may influence their party affiliation. On the other hand, there are instances of socially conservative Republicans and fiscally conservative Democrats. Though not entirely common, it

often happens with individuals whose issue preferences do not completely align with their party ID (Hetherington and Weiler, Location 325, 2009).

Those who rank higher in racial resentment, i.e., feelings of animus towards racial minorities such as Blacks were less likely to rate transgender individuals warmly. Both ideology and party identification perform as expected, where those who identify as liberal and Democratic are more likely to rate transgender individuals warmly. Looking at authoritarianism, authoritarianism is the degree to which the individual values conformity over autonomy. Those who value conformity and order rank higher on the authoritarianism scale, compared to those who value individuality and autonomy. Therefore, those who value order will often score lower on surveys focused on gun control, in contrast to surveys that focus on gun ownership rights. Regarding similar issues like abortion, those who value conformity often score lower on surveys tasked with measuring whether the individual is pro-choice or pro-life. Those who support same-sex marriage often value individuality and will score lower on authoritarianism than those who do not. In addition, those who support the LGBTQ+ community, will in turn score lower on the authoritarianism measure. With authoritarianism, those who score higher on authoritarianism will rate transgender individuals less warmly than those who score lower on the authoritarianism scale.

Upon beginning my research, I had previously hypothesized the reverse relationship with race and support for gendered minorities. I hypothesized that because both were either racial or gender minorities, that their minority status would force these groups of marginalized individuals together rather than drive a wedge between them. My theory also includes racial resentment, which are anti-minority attitudes centered around Blacks and the Protestant work ethic, which is based upon the belief that Blacks are lazy and undeserving, compared to their racial counterparts

(Tesler, page 22, 2016). This attitude is tantamount to racial animus against minority racial groups, based on their social position in society. I include racial resentment as a potential explanatory variable for attitudes towards the transgender community because of the cultural context it plays with determining attitudes on race and attitudes towards a specific group of individuals because of their race (Blacks). Furthermore, party identification and the degree of liberalism or conservatism can force racial groups apart due to historical ties with each major political party. Racial groups tend to align with one party or the other depending on cultural issues- i.e., Blacks are historically Democratic because the Republican Party offers them nothing in the way of cultural or social advancement.

Having discussed each of the variables, and how the varying degrees of authoritarianism serve as an indicator of which political party the respondent belongs to, I proceed by examining other, similar issues and the preferences held by respondents on each of these issues- same sex marriage, abortion and feelings toward transgender individuals. Recall earlier that political parties pick the issues they want to address, the positions on those issues they are addressing, and that the average voter then picks how they feel about the issue, and in reality, picks the party they align with best (Zaller, page 42, 2003). As you will see in the cultural war literature, each of these social issues are contemporary in nature and often controversial topics among constituents. Same sex marriage was legalized federally only just under six years prior, opening the floodgates for similar LGBTQ+ issues to be brought to the fore. Following a brief discussion of same-sex marriage, I will examine how each of the aforementioned variables interact with our dependent variable, which asks whether or not the respondent supports same-sex marriage. Studies also show that wording in the survey matters a great deal to the respondent. As a result, many of the surveys that previously featured the word “homosexual” have been altered to read “gay”, which

produces a more positive response to issues facing the LGBTQ+ community (Smith et. al, page 337, 2018).

Regarding same sex marriage, the South is more culturally conservative about gays and lesbians ability to marry. Therefore, in the South, respondents are more likely to support the gender-neutral bathroom bill due to their historical opposition of LGBTQ+ social issues such as same sex marriage. Those who attend religious services frequently are also less likely to support same sex marriage, but more likely to support the gender-neutral bathroom bill, which states that transgender individuals should use the bathroom of the gender listed on their birth certificate. Regarding frequency of church attendance, I also find that those who attend religious services are less likely to oppose the gender-neutral bathroom bill, and firmly believe that transgender individuals should use the bathroom of the gender listed on their birth certificate. Those with higher incomes, those above 50,000, are also less likely to support same sex marriage, which is explained by the top 1%'s inability to approve of pro-LGBTQ legislation. Those with a college education or higher are more likely to support same sex marriage, in addition to the gender-neutral bathroom bill. According to Table 2, respondents who are self-identified Hispanic, these individuals are a significant predictor of attitudes towards same-sex marriage. The literature suggests that Latinx communities share a linked fate with those in the LGBTQ+ community (Moreau, Nuno-Perez, and Sanchez, page 977, 2017).

Racial resentment is predicated on the notion that Blacks are undeserving and lazy, and this anti-Black sentiment stems from a history of Protestant values that prioritized a strong work ethic and climbing the social ladder. I find that as racial resentment towards Blacks increases, support for same-sex marriage decreases. I posit that either other variables are absorbing the effects of racial resentment's true impact, or that this attitude is due to the negative outlook that

many Protestants have on the LGBTQ+ community. When other variables are examined, such as political party affiliation, ideology and authoritarianism, support for same-sex marriage also decreases. With party identification, Republicans are less likely than Democrats to support same sex marriage. With ideology, conservatives are less likely to support same-sex marriage than liberals. With authoritarianism, those who value authority are less likely to support same-sex marriage. Looking at similar issues such as abortion and the feeling thermometer towards trans individuals would provide context clues as to what is taking place with same-sex marriage.

Abortion laws are tackled at both the federal and local levels, so it is no wonder why there is mass confusion about attitudes toward abortion. When examining the issue regionally, I posit that those in the South will be less likely to support a woman's right to an abortion, due to the culturally conservative context of the South. With frequency of church attendance, support decreases as church attendance increases. Regarding income, those in a higher income bracket will be less likely to support abortion measures than those in a lower income bracket. Education tends to increase awareness about social issues and thus generate positive feelings towards these social issues like abortion. Ergo, those with a college education or higher will be more likely to support abortion than those without. With age, those over 50 are more likely to support abortion than those under 50. Those with LGBTQ identifying family and friends are more likely to support abortion than those who do not have LGBTQ family and friends. Regarding race, respondents who self-identify as Black are more likely to support abortion than those who identify as White. Those who identify as Hispanic still are less likely to support abortion than their White counterparts.

Racial resentment in this instance was not a statistically significant predictor of attitudes towards abortion. From liberal to conservative, support for abortion decreases. From Democrat

to Republican, support for abortion also declines. In regard to authoritarianism, those who score higher on authoritarianism are less likely to support abortion than those who score lower on the authoritarianism scale. It is evident that abortion is not so much a race issue, as it is a moral values issue. Although it is unclear why Hispanic respondents disfavor abortion so highly, compared to their Black counterparts.

As to attitudes towards transgender individuals, I find that compared to other regions, those in the South are less likely to have warm feelings towards those who identify as transgender. Next, those who attend religious services more frequently are less likely to rate transgender individuals warmly. Following that, income is not a statistically significant predictor of attitudes towards transgender individuals. Education performs in a different manner than originally hypothesized in this case. When examining attitudes towards transgender individuals, those with a college education or higher are less likely to rate transgender individuals warmly. As expected, those with LGBTQ+ identifying friends and family are more likely to rate transgender individuals warmly, lending support to the contact theory hypothesis. Per the race variable, those who identify as Black are less likely to rate transgender individuals warmly. Hispanic as a race variable was also not a statistically significant predictor of attitudes towards transgender individuals. Racial resentment was found to be statistically significant and signed by a negative coefficient, which indicates that those with a higher degree of racial resentment would be less likely to rate transgender individuals warmly. Based on the data and the literature on political parties and issue preferences, those who ranked high in conservatism ranked low in approval ratings for transgender individuals. In addition, those who identified as Democrats were more likely to rate transgender individuals warmly than those who identified as Republicans.

Consequently, those who ranked high in their need for conformity and order were less likely to rate transgender individuals warmly than those who did not.

Moving onto the second OLS regression, I changed the dependent variable and included the independent variable for respondent age, to examine whether or not the age of the respondent plays a role in support of the next issue: gay marriage. Following that, Table 4 shows the results of the ordinary least squares regression on attitudes towards same-sex marriage. Per the findings, in the South, support for gay marriage increases. This could be a result of removing age from the equation, where age of the respondent would greatly impact whether or not the respondent supports or opposes same-sex marriage. In that instance, same-sex marriage would need to be recoded to ensure that relationship examined in each of the other equations holds water. The results from this OLS regression could be an issue of multiple variables absorbing the effects of one another in the data, causing confounding results.

While examining the last of the social issues, abortion, I discovered that region was not a statistically significant predictor of support for abortion, church attendance decreased support for abortion, that those with a higher income were less likely to support abortion measures, those with a college education or higher were more likely to support abortion measures, and those with family and friends who identified as LGBTQ+ were more likely to approve of abortion. Interestingly enough, those who self-identified as Black were more likely to support abortion than those who identified as Hispanic. Those who identified as Hispanic were less likely to support abortion. I posit that this also has deep religious and cultural roots, as often Latin American countries are culturally conservative and abortion measures often deviate from their belief in God. Next, racial resentment was found not to be a statistically significant predictor of attitudes towards abortion. On a scale of liberalism to conservatism, those who are self-identified

Liberals are more likely to support abortion measures than those who are self-identified Conservatives. In much the same way as political ideology, party affiliation runs in the same direction. Those who identify as Democrat are more likely to support abortion measures than those who identify as Republican. The integral variable that permeates many layers of this study is authoritarianism. As such, those who rank high in authoritarianism will be less likely to support abortion measures than those who score lower in authoritarianism. Finally, Table 5 illustrates the results for the ordinary least squares regression on attitudes towards abortion. Each of these tables are critical to understanding how the culture war played a role in developing the issue of transgender rights today.

As discussed, the gender-neutral bathroom bill is reverse coded to show that opposition towards the bill means support for transgender individuals. I further include the feeling thermometer for transgender individuals to test the contact theory hypothesis. Unsurprisingly, some of the variables I had expected to be statistically significant predictors of attitudes towards transgender individuals were. One key example of this was the race variable for Hispanic respondents. I expected that linked fate would tie these individuals to other members of the LGBTQ+ community (Moreau, Nuno-Perez, Sanchez, page 978, 2019).

As expected, dependent variables such as region are statistically significant predictors of attitudes towards transgender individuals and the gender-neutral bathroom bill. Other variables that were consistent predictors of attitudes towards transgender individuals were frequency of attendance to religious services, race, ideology and political party affiliation. Earlier, I discussed how most Americans are not ideologically polarized, with exception of those with a high degree of political awareness. Those select few who are politically aware and engaged in society tend to

fall on either one side of the spectrum or the other, considering that their issue preferences are cemented through their involvement in politics and their civic engagement.

When looking at each of these cultural issues, I note a stronger connection between the variables that are more closely related to the gender-neutral bathroom bill issue-wise. Attitudes towards transgender individuals are more strongly correlated to attitudes towards the gender-neutral bathroom bill because both involve the same or a similar subject: transgender individuals and their rights. The variables that hold the strongest connection in these regressions are region, education, whether the respondent has LGBTQ+ family and friends, frequency of church attendance, party id, ideology and authoritarianism. These are both statistically significant predictors of attitudes towards transgender individuals and attitudes towards the gender-neutral bathroom bill. Compared to same-sex marriage, there is a weaker connection between the independent variables such as age, race, education and income, and dependent variable, same-sex marriage, but still a stronger connection between variables than the ones measured using the abortion variable.

Attitudes towards same sex marriage are largely dependent on region, respondent education level, income, age, race, frequency of church attendance, ideology, party ID, and authoritarianism. Authoritarianism is a common thread, like ideology and party ID, that runs through all of these issue preferences, in much the same way that the demographic variables predict attitudes towards each of the four issues and other issues beyond those: gun control, immigration, and global warming. As discussed, the South is often a culturally conservative hotbed for issue preferences. Those in the South are more likely to disfavor transgender individuals, same-sex marriage and abortion.

When comparing and contrasting the effects of each independent variable, the four issue positions described above, abortion holds the weakest relationship between dependent variable and independent variables. In this regression, region is both negatively correlated and not a statistically significant predictor of attitudes towards abortion, unlike with the previous three regressions using the gender-neutral bathroom bill, the feeling thermometer towards transgender individuals, and same sex marriage. In all four regressions, though, whether or not the respondent has friends or family that identify as LGBTQ+ is a statistically significant predictor of attitudes on all four issues.

In the next section, I will discuss the predicted probabilities for each statistically significant independent variable at all values of the gender-neutral bathroom bill, while holding the authoritarianism variable at its mean. As discussed, the gender-neutral bathroom bill is reverse coded to show that opposition towards the bill means support for transgender individuals. I further include the feeling thermometer for transgender individuals to test the contact theory hypothesis. Surprisingly, some of the variables I had expected to be statistically significant predictors of attitudes towards transgender individuals were not. One key example of this was the race variable for Hispanic respondents. I expected that linked fate would tie these individuals to other members of the LGBTQ+ community (Moreau, Nuno-Perez, Sanchez, page 978, 2019).

Listed below are the results for each of the statistically significant variables in the logistic regression, while holding the variable for the gender-neutral bathroom bill at its mean.

Independent variables such as education, respondent age, marital status, and Hispanic race were not statistically significant predictors of attitudes on the gender-neutral bathroom bill. For the purposes of the logistic regression, respondent age was a continuous variable, rather than a dichotomous variable as it allowed for a better representation of the data. Table 2 lists each of the

predicted probabilities for the variables that were statistically significant in the regression in Table 1.

Regarding regional differences, I find that those who are not in the South are less likely to vote in favor of the gender-neutral bathroom bill, compared to those in the South (53.5 and 46.2 percent, respectively). Furthermore, those whose income are under \$50,000 are less likely to vote in favor of the gender-neutral bathroom bill, in comparison to those whose income is over \$50,000 (47.4 and 53.2 percent, respectively). Those who identify as Black are less likely to vote in support of the gender-neutral bathroom bill, compared to their White and Hispanic counterparts (25.3, 33.9, and 43.7, respectively). Compared to many of the other variables, this is an 18-point difference, which is relatively large.

Those who rarely attend church are less likely to support the gender-neutral bathroom bill than those who attend church more frequently (41.4 and 52.8, respectively). The probability of support for the bathroom bill is much greater than the probability of non-support, by 11.4 points. Those who do not have LGBTQ+ family or friends are more likely to support the gender-neutral bathroom bill, than those who do not have family or friends who identify as gay or lesbian (56.7 and 43.0 percent, respectively). There is a 13-point difference between values of the variable in this case. In terms of racial resentment, those who scored lower in racial resentment were less likely than those who scored higher to support the gender-neutral bathroom bill. There is at least a 30-point difference between the values of those ranked most tolerant and those ranked most resentful. Regarding ideology, those who identified as liberal or liberal leaning were less likely to support the gender-neutral bathroom bill, as the bill is coded in the reverse to discriminate against transgender individuals. There is at least a fifty-point difference between respondents who identify as Extreme Liberal and those who identify as Extreme Conservative (78.3 and 24.5,

respectively). Therefore, there is a 50% chance that respondents who answer Liberal on the survey will support the gender-neutral bathroom bill over their Republican counterparts. Regarding party identification, Democrat or Democrat-leaning individuals were less likely to support the gender-neutral bathroom bill. There is a 20-point difference between Strong Democrat and Strong Republican (60.2, and 40.2, respectively). Those who scored lower on authoritarianism were less likely to support the gender-neutral bathroom bill, by 58.1 percent.

CHAPTER EIGHT: CONCLUSION AND FURTHER IMPLICATIONS

This final section will review the major components of this thesis such as the findings of each case study and regression, and future avenues of research for those who wish to pursue or study LGBTQ+ rights. It will also determine the implications that such a study has on the field of social science research, where previous studies on transgender individuals have been lacking. Then, it will conclude with a host of recommendations for future research in the field, as well as the impact that these future suggestions will have on public policy for both elites and non-elites. Conducting such research on this topic has been an ordeal due to time and material constraints, but a worthwhile endeavor. It is my hope that this thesis broadens the minds of both the constituents and the leaders they decide to elect.

The major points of this thesis involve the beginning of the Civil Rights Movement of the sixties, in which many gay, lesbian and transgender individuals were thrown out of the Stonewall Inn in Greenwich Village, located in New York City. Their subsequent arrests were based on the charges that they were engaged in unlawful behavior by dancing with one another and persons of the same sex. They responded by taking to the streets and marching for their rights, with Marsha P. Johnson and Sylvia Rivera at the helm of the movement. It was not until much later that gays and lesbians, much fewer transgender individuals began achieving equal rights under the full spectrum of the law. They staged sit-ins in their local government offices to force legislators to hear their complaints and to advocate for their own rights. Over the last sixty years, public policy has made great headway in securing the rights of gays and lesbians to marry, to adopt, to own a home, to dance in public freely with their partner, and to live their most authentic lives. The discussion of transgender rights followed shortly after; however, it was stifled by those who forgot

or refused to acknowledge that the LGBTQ+ community is comprised of more than just gays and lesbians, and the right to marry is a right that should be afforded to all, regardless of identity or sexual orientation.

Following that, are the court cases that signal to the elites at the highest echelons of power that the people are requesting a change be made to include transgender individuals' basic rights into the mix. Transgender individuals face an uncertain legal climate, unless we as a society are able to remedy it and provide them with the basic rights afforded to every other person in the United States (Flores, page 398, 2015). If starting with the simplest of rights such as the allowance of transgender individuals to use the restroom facilities of their preferred gender enables the Courts to ask further questions of what they require to pursue their livelihood, then society is all the better for it. It is rare that one will find someone who disagrees with society bestowing upon others their equal rights, even if they disagree with how, they lead their lives. In point of fact, those who are averse to transgender individuals, namely those who are non-violent towards these individuals, still believe that the transgender community is worthy of its fundamental rights just like any other part of society. Of course, this is not a study focused on the dregs of society, so I cannot discount what potential survey data might read for those portions of society.

By contrast, those who are violent towards transgender individuals are more likely to disavow the need for fundamental rights for transgender individuals. These individuals who display tendencies to harm these and other individuals in the LGBTQ+ community should be monitored carefully and closely, so as to avoid another incident like that of the Pulse Massacre or of overt displays of hate like those seen from Westboro Baptist Church. Understandably, society rallies against factions of society that are less well known by the majority of society. With proper

education, though, these myopic viewpoints can be changed to allow them a better perception of communities like that of the LGBTQ+ community.

The actions that have been taken by the Trump Administration to inhibit the progress made by pro LGBTQ+ advocacy groups are instrumental. President Trump has attempted to roll back all Obama era legislation that would safeguard the rights of both racial and gendered minority groups in civilian and military life. Many transgender individuals would like the privilege of being able to serve openly in the United States Armed Forces to fight for and protect the rights of those in their country, but their country and leadership, when pressed for answers, denies them their rights to live life as their truest selves. By that statement alone, transgender individuals often feel thrown to the wayside of public policy, much like the parts of society that politicians choose to ignore. The Trump Administration has not given much forethought to how this denial of rights to the transgender community could impact the community and society overall. Less troops enlisted means less security for the country, and for every transgender soldier not taken care of, there is a medical bill that is attached to them.

The mental health of these transgender soldiers already enlisted and being discharged for their secrecy of their identity as transgender for fear of repercussions weighs heavily on the lieutenant who is forced to sign their discharge papers. Being transgender is not a disability that would render an individual incapable of serving their country, yet it is treated as an ultimate disqualifier as if it were. Making decisions on the behalf of these individuals requires more knowledge than people are already equipped with to understand the life experiences of someone who identifies as transgender. Transgender individuals deserve the same courtesy given to every man and woman in this country. If they are willing to lay their lives on the line to defend the great

nation of the United States, then this country owes them a debt in ensuring their protection and civil rights.

Serving openly in the Armed Forces is merely one aspect of life as a transgender person. The aspect I have chosen to focus on is the right of the individual to enter a facility of their choosing, namely a restroom facility of their preferred gender, and to be able to utilize this facility properly and adequately, without imminent threat to their person. Transgender individuals are most often victimized when they are at their most vulnerable, such as while using a restroom, walking down the street, ordering a drink from a bar, or doing anything sans company of another individual. This does not include experiences that happen while they are in the company of someone else. Attacks can happen less frequently and are less common, but they do still occur. If 10,000 hate crimes are perpetrated with firearms against members of the LGBTQ+ community, that is still ten thousand too many victims to account for. In some cases, the victim's body is far too marred to be identifiable by local law enforcement. The degree of hatred that one would have to reasonably have to exact such revenge against another human being, is unfathomable.

A call to action on behalf of the transgender community is more than justified, when they are being senselessly murdered by the thousands annually. To the contrary, surveys can only capture incidents that were reported. For every one case reported, I estimate that there are at least five cases that are either underreported or unreported at all. The fact that these statistics even exist warrants a need for change to the way our government is run. The transgender community is like that of any other minority community-- they seek a better life for themselves and to coexist peacefully with all others in society, regardless of their race, gender, ethnicity, religion, sexuality, or orientation. It is not difficult to imagine a nation where a consensus is arrived at that all

individuals are entitled to the same basic rights, where those rights are uniformly distributed to each member of society.

It is a fundamental truth that the United States was founded on the principle that, “All men are created equal and endowed with certain unalienable rights- among them are life, liberty and the pursuit of happiness (Thompson, page 205, 2002).” If all men are created equal, then it stands to reason that transgender men and women fall under this umbrella term of ‘men’, by virtue of the Framers’ original intent behind the writing of the Constitution. The Constitution was written as an interpretative document on which to model American society, as a guideline of sorts for the government to model their actions after. Ergo, the government should take into consideration how it treats racial and gendered minorities when legislating on their behalf, whether that legislation involves military service, use of restroom facilities, housing, employment discrimination, the right to marry, etcetera.

Courts have addressed the issue of sodomy as it relates to same-sex couples sharing a domicile or common living arrangement in both *Romer v. Evans* and *Bowers v. Hardwick*. Courts have seen fit to rule on the right of privacy between two consensual adults as to their sexual relations, stating that engaging sodomy is a criminal act. Sodomy statutes place certain people at risk of surveillance, arrest, indictment, conviction and incarceration, while they simultaneously provide for certain other people spaces of relative immunity (Halley, page 1722, 1993). Homosexual individuals are often vilified by rulings on sodomy, whilst heterosexual individuals often enjoy the privileges of consensual sexual relations with each other without risk of injury or incarceration for sodomy. This uneven balancing of the scales of justice already places transgender individuals at risk of many things, one of being discovered, and two of being punished in the event

of discovery of their true identity. No American citizen should live in fear of being stripped of their rights for behaving as one would in a consensual relationship that harms neither party involved.

Courts have also argued over the treatment of transgender individuals in terms of restroom facilities in schools. In *Grimm v. Gloucester County School Board*, the Court overturned its ruling that the young teen should utilize the restroom of the gender listed on their birth certificate, forcing the teen to be put into an uncomfortable situation every time he needed to relieve himself. Later, in states like North Carolina, harmful legislation such as HB 2 forced transgender individuals, regardless of age, to utilize facilities consistent with the gender listed on their birth certificates. While some refused, others complied, even with the safety risks they faced to their personal being of being attacked or ridiculed in public. Some states went so far as to demand proof that these individuals had undergone reconstructive surgery, adding insult to injury to those who might not have had the finances to undergo a physical transition from one gender to another.

Oftentimes, these individuals are stuck in between genders, because transitioning is a lengthy process. Becoming one's true self is not like flicking a light switch, where the change from night to day happens almost instantaneously, but rather is a gradual change over time that both the individual and those closest to them have to acclimate to. Some of their loved ones do not accept them readily, and genuinely refer to these individuals by what is called a 'dead name'. A 'dead name' is a name that an individual no longer identifies with and is often removed in favor of a moniker more gender-appropriate and to the liking of the individual undergoing the transition process. Imagine for a moment waking up one morning as a different gender, with different pronouns, while having to take medicines daily to maintain this identity, in addition to having to

surgically alter one's physical appearance in order to have a physical being consistent with one's new gender identity. Then imagine being bullied because you do not fit society's mold of what a man (or woman) should act, dress and speak like. Picture the worst-case scenario of being attacked as you walk down a lonely sidewalk at night, with no one to come to your defense. This is the frightening reality of living as someone who identifies as transgender, and this happens everywhere around the world- not just in the United States.

With Transgender Day of Remembrance just around the corner, many within the community gather with allies to remember those that have been lost due to the brutalization of transgender lives around the United States. Most candlelit vigils around this time feature advocacy groups to help those who are still struggling with their identity, in addition to those who feel pressured by their communities, employers, and landlords to abide by a certain code that was instituted to discriminate against them at the outset. This thesis could not be written without at least a brief mention of why it is so incredibly necessary to advocate for the transgender community. Protecting American citizens here and abroad is a tenet of the laws that govern our beautiful nation.

Statistically speaking, our nation is a melting pot of cultures, world religions and differing views about how the United States should operate with a common thread of equality, fairness and justice that binds everyone to one another in mutual respect for their neighbor and the common person walking down the street. Based on ANES data from the survey conducted in 2016, studies show that contact with LGBTQ+ persons increases favorability of these persons by someone who does not identify as LGBTQ+ or transgender, for the purposes of this research. To boot, there are regional differences and religious differences among those surveyed. Regionally speaking, the

farther South one travels, the more likely one is to find a hotbed of religious and moral conservatism. Those who attend religious services more frequently are less likely to rate transgender individuals warmly. Regarding religious denominations, Christianity is more likely to espouse conservative views and rate transgender individuals less warmly than any other denomination.

Per the demographic variables, age was not statistically significant in determining attitudes towards transgender individuals, whereas those with higher education were more likely to rate transgender individuals warmly, dissimilar to those with a higher income. Those with a higher income were less likely to rate transgender individuals warmly, which is reflective of elites and their influence on public policy, as well as indicative of the trickle-down effect that public policy has on public opinion. Contrastively, race held a significant influence over the data on ratings towards transgender individuals. Those who responded 'White' were more likely to rate transgender individuals warmly, in comparison to those who responded 'Black' or 'Hispanic'. This finding is particularly concerning considering that the latter groups were, or presently are racial minorities. Culturally speaking, this makes somewhat sense because of the embedded transphobia in each of these racial minorities. Many cultures refuse to recognize transgender youth, often displacing them and forcing them to search elsewhere for housing and financial stability.

The analyses show that attitudes of others towards transgender individuals are a combination of what interactions are had with transgender individuals, what elites have said about transgender individuals, and what the public knows about them in the way of public opinion and public policy. In order to bring about change to public opinion of and public policy on transgender rights is to increase political awareness of those unaware of transgender identity. The goal of my

research is to highlight the importance of attitudes towards transgender individuals and how it shapes LGBTQ+ politics.

Future avenues of research for those serious about studying LGBTQ+ policies, or more broadly, civil rights, should be focused on the interrelated concepts associated with the right to marry, the right to adopt, the right to serve openly in the Armed Forces, the right to list one's partner in their will and testament as next of kin, and the right of LGBTQ+ Americans to be recognized as their preferred gender on all government official documents and licenses. Serious students might also consider persuading their local legislators to enact policies that benefit both racial and gendered minorities. Leading by example, the Biden Administration is working to ensure that LGBTQ+ Americans are protected and has done so by reversing the ban on transgender individuals in the military. This has far-reaching implications for not only trans rights, but also LGBTQ rights as Biden becomes the most LGBTQ+ and diversity inclusive President elected to the highest office in the nation. The next wave of politics following the inauguration of President-elect Joseph R. Biden is promising for the future of LGBTQ+ peoples and allies alike, if we all work together to build back better.

APPENDIX A: REGRESSION ANALYSES

TABLE 1 LOGISTIC REGRESSION PREDICTING ATTITUDES TOWARDS GENDER NEUTRAL BATHROOM BILL

Variable Name	Model	
Demographic Variables	<i>b</i>	S.E.
Region (south)	-.290**	.944
Education	.164	.107
Income	.233**	.104
Age	.051	.002
Race (Black)	-.412**	.165
Race (Hispanic)	.097	.148
Attend	-.462**	.095
LGBT Fam/Friend	.551**	.092
Racial Resentment	-.386**	.050
Married	-.138	.099
Ideology	-.401**	.043
Party ID	-.134**	.028
Authoritarianism	-.259**	.040
N	2,847	
Cox & Snell Pseudo R ²	.2467	

Source: 2016 American National Election Study time series. Dependent variable is the gender-neutral bathroom bill.

**p<.05

***p<.001

TABLE 2 PREDICTED PROBABILITIES TOWARD GENDER NEUTRAL BATHROOM BILL

Variable Name	Predicted Probabilities
Demographic Variables	
Region	
South	.4628069
Non-South	.53518
Income	
Under 50K	.4746719
Over 50K	.5328715
Race	
White	.4370151
Hispanic	.3394753
Black	.2538881
Attendance	
Non-Churchgoer	.5287137
Churchgoer	.4140768
LGBT Fam/Friend	
Has	.5678846
Does Not Have	.4308999
Racial Resentment	
Most Tolerant	.6412793
Less Tolerant	.5485305
Less Resentful	.452283
Most Resentful	.3594766
Ideology	

Extreme Liberal	.7839152
Liberal	.7082361
Slight Liberal	.6189363
Moderate	.5207977
Slight Conservative	.4210272
Conservative	.3273148
Extreme Conservative	.2456123
Party ID	
Strong Democrat	.6015406
Weak Democrat	.5689552
Indep. Democrat	.5357616
Independent	.502248
Indep. Republican	.4687143
Weak Republican	.4354607
Strong Republican	.4027778
Authoritarianism	
Least Authoritarian	.5818286
Slight Authoritarian	.5177213
Moderate	.4530252
More Authoritarian	.3898782
Most Authoritarian	.3302192

TABLE 3 OLS REGRESSION ON ATTITUDES TOWARDS TRANSGENDER INDIVIDUALS

	Model	
Variable Name	<i>b</i>	S.E.
Demographic Variables		
Region (south)	-2.80**	.893
Education	2.82**	1.04
Income	.710	.947
Age	-1.95*	.879
Race (Black)	-3.87**	1.08
Race (Hispanic)	2.69**	.984
Attend	-6.38**	1.15
LGBT Fam/Friend	8.50***	.893
Married	-3.26**	.918
Racial Resentment	-3.80**	.494
Ideology	-4.09**	.412
Party ID	-1.01**	.289
Authoritarianism	-2.30**	.386
N	2,876	
Adjusted R ²	.3174	

Source: 2016 American National Election Study

Dependent variable is feeling thermometer for transgender individuals

*p<.10

**p<.05

***p<.01

TABLE 4 OLS REGRESSION ON ATTITUDES TOWARDS SAME SEX MARRIAGE

	Model	
Variable Name	<i>b</i>	S.E.
Demographic Variables		
Region (south)	.204**	.036
Education	-.088*	.042
Income	-.114**	.039
Age	.150**	.036
Race (Black)	.274**	.044
Race (Hispanic)	-.094*	.040
Attend	.667**	.047
Married	.103*	.037
Racial Resentment	.066*	.020
LGBT Fam/Friend	-.338**	.036
Ideology	.164**	.016
Party ID	.033*	.011
Authoritarianism	.093**	.015
N	2,906	
Adjusted R ²	.3340	

Source: 2016 American National Election Study
 Dependent variable is feeling thermometer for transgender individuals

*p<.10

**p<.05

***p<.01

TABLE 5 OLS REGRESSION ON ATTITUDES TOWARDS ABORTION

	Model	
Variable Name	<i>b</i>	S.E.
Demographic Variables		
Region (south)	-.057	.035
Education	.269*	.041
Income	.130***	.037
Age	.194**	.034
Race (Black)	.191**	.042
Race (Hispanic)	-.221**	.038
Attend	-.735**	.045
LGBT Fam/Friend	.090***	.035
Married	-.101**	.036
Racial resentment	-.015	.019
Ideology	-.205**	.016
Party ID	-.041**	.011
Authoritarianism	-.116**	.015
N	2,903	
Adjusted R ²	.3442	

Source: 2016 American National Election Study
 Dependent variable is feeling thermometer for transgender individuals

**p<.05

***p<.01

APPENDIX B: IRB LETTER



UNIVERSITY OF CENTRAL FLORIDA

Institutional Review Board

FWA00000351
IRB00001138, IRB00012110
Office of Research
12201 Research Parkway
Orlando, FL 32826-3246

Memorandum

To: Tiffeni Russo
From: UCF Institutional Review Board (IRB)
Date: April 7, 2021
Re: Request for IRB Determination

The IRB reviewed the information related to your dissertation *The Winds of Change are Blowing: Changing Attitudes Towards Transgender Individuals*.

As you know, the IRB cannot provide an official determination letter for your research because the submission was not completed in our electronic submission system.

However, if you had completed a Huron submission, the IRB could make one of the following research determinations: "Not Human Subjects Research," "Exempt," "Expedited," or "Full Board."

Based on the information you provided, this study would have been issued a Not Human Subjects Research determination outcome letter had a request for a formal determination been completed in the UCF IRB through Huron IRB system.

If you have any questions, please contact the UCF IRB irb@ucf.edu.

Sincerely,

A handwritten signature in purple ink that reads "Katie Kilgore".

Katie Kilgore
IRB Specialist

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